United Nations CERD/C/CAN/CO/19-20/Add.1

International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General
2 March 2015

Original: English and French
English, French and Spanish only

Committee on the Elimination of Racial Discrimination

Concluding observations on the combined nineteenth and twentieth periodic reports of Canada

Addendum

Information received from Canada on follow-up to the concluding observations*

[Date received: 8 September 2014]

Introduction

1. On February 22 and 23, 2012, Canada appeared before the United Nations Committee on the Elimination of Racial Discrimination for the review of its combined nineteenth and twentieth periodic reports on its implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD/C/CAN/19-20). In its concluding observations following the review (CERD/C/CAN/CO/19-20), the Committee asked Canada to submit, within one year, information with respect to four of its recommendations (in paragraphs 16, 17, 19 and 21). Canada's response to the four recommendations is provided herein.

2. Canada is a highly diverse society. More than 200 different ethnic origins were reported in the 2006 Census, and 11 ethnic origins surpassed the 1-million population mark. Canada has one of the highest immigration rates in the world, welcoming about 250,000 new permanent residents each year. This diversity requires Canada to pursue both general measures against racial discrimination and specific measures tailored for particular groups.

3. Canada is also diverse in its governance. Federalism developed in Canada over two centuries as a successful governance model, well suited to the diversity of its population and the size of its territory. Canada's measures against racial discrimination are therefore undertaken at all levels of government-including the federal, provincial/territorial and municipal levels-so that they can be adapted to local needs.

* The present document is being issued without formal editing.

GE.15-03825 (E)
1503825

Please recycle

4. In Canada's responses to the four recommendations, the Committee is provided with information on some of the relevant general and specific measures currently being undertaken at the various levels of government.

Recommendation in paragraph 16 of the concluding observations (CERD/C/CAN/CO/19-20)

Recalling its general recommendation no. 34 (2011) on racial discrimination against people of African descent and in light of its general recommendation no. 32 (2009) on the meaning and scope of special measures in the International Convention on the Elimination of All Forms of Racial Discrimination, the Committee recommends that the State party take concrete specific measures to foster the effective integration at federal, provincial and territorial levels of African Canadians into Canadian society by effectively ensuring the implementation of its non-discrimination legislation, in particular the Federal Employment Equity Act, and policies regarding access to employment, non-discriminatory wages, housing, and public service. The Committee also recommends that the State party strengthen its special measures to increase the level of educational attainment of African Canadian children in particular by preventing their marginalization and reducing their drop-out rates. The Committee requests that the State party provide it with information on specific measures taken as well as on their concrete results.

Introduction

5. Canada has an unwavering commitment to preventing racial discrimination from becoming a systemic problem in Canada.

6. Canada's legal framework guarantees the constitutional protection of the ancient liberties and free customs of Canadians, including the fundamental rights of individuals. In addition, the Government of Canada has and will continue to develop forward-looking approaches to combat all forms of discrimination in Canada through a wide range of legislation, policies, programs, and services at the federal and provincial/territorial levels.

7. This integrated approach provides the Government of Canada with a framework to support the integration of new Canadians into our increasingly diverse society.

Legal framework

8. Canada has a strong legal framework to combat racism and discrimination. This framework includes prohibitions in the Canadian Constitution, the *Criminal Code*, federal and provincial human rights statutes, and other legislation. Further information on this framework can be found at paragraphs 87–106, 138–142, and 164–168 of Canada's common core document (HRI/CORE/CAN/2013).

9. Human rights legislation enables federal, provincial and territorial human rights commissions to receive complaints of discrimination based on race, national or ethnic origin or similar grounds related to employment, housing and the delivery of goods, services or facilities.

10. At the federal level, the Canadian Human Rights Commission (CHRC) and the Canadian Human Rights Tribunal have a broad mandate with respect to discrimination complaints. In addition, the CHRC is responsible for enforcing the *Employment Equity Act*, which ensures that federally regulated employers provide equal opportunities for employment to four designated groups, namely women, Aboriginal peoples, persons with disabilities, and members of visible minorities, so that the federal workforce reflects the population at large.

Employment equity

11. Canada adopted the *Employment Equity Act* in 1986. Its objective is to remove systemic discriminatory barriers to employment in the federal jurisdiction and achieve workplaces where no person is denied opportunities or benefits for reasons unrelated to ability. The Act, which focuses on four designated groups: women, Aboriginal peoples, persons with disabilities and members of visible minorities, is administered through three programs:

- The Legislated Employment Equity Program applies to approximately 550 federally regulated private sector employers with 100 or more employees who are required to report annually on the designated group representation in their workforce and the efforts made in creating inclusive workplaces.
- The Federal Contractors Program applies to over 1,000 provincially regulated private sector employers with 100 or more employees who receive contracts from the Government of Canada valued at $200,000 or more. Applicant contractors are required to certify in writing their commitment to employment equity and, if successful in their bid, implement employment equity.
- The Racism-Free Workplace Strategy seeks to eliminate employer-related systemic policies and practices that inhibit the recruitment, retention and advancement of members of visible minorities and Aboriginal peoples. The Strategy is educational in nature and aims to educate employers and employees in workplaces about the benefits of fair and inclusive workplaces and how to achieve them.

12. Progress in accessing employment has been made for members of visible minorities in the federally regulated private sector. Statistics released by the Minister of Labour in the *2010 Employment Equity Act Annual Report* indicate that members of visible minorities' representation in the federally regulated private sector continues to exceed workforce availability overall: 17.1 percent representation compared to 15.3 percent availability.

Public Service of Canada

13. The *2011–2012 Annual Report on Employment Equity in the Public Service of Canada* showed that all employment equity groups were participating in greater numbers in the public service. For example, the overall representation of visible minority groups increased from 11.3 to 12.1 percent[1] (the highest percentage increase among the four designated groups) but remained below its workforce availability of 12.4 percent. In the executive cadre, members of a visible minority group represented 8.1 percent of executives, thus exceeding their work force availability by a 0.5 percentage point.

14. According to data from the Public Service Commission (PSC), which is accountable for employment equity in all appointment activities it administers or oversees under the *Public Service Employment Act* (PSEA), members of visible minorities are being appointed to the public service at a rate that exceeds their workforce availability of 12.4 percent: in 2008–2009, 18.8 percent; in 2009–2010, 21.2 percent; and in 2010–2011, 18.6 percent.

[1] Please note that there is a discrepancy in the appointment numbers of the Employment Equity (EE) designated groups to the public service reported by two departments. Each used a different EE data acquisition methodology: the first used self-declaration data collected during the application phase, whereas the other used self-identification data collected from newly hired employees, as prescribed by the *Employment Equity Act*. In May 2010, directions on how to integrate the two sets of data were issued and it is anticipated that the discrepancy will lessen and eventually will be eliminated over the coming years.

15. The PSEA makes it clear that "Canada will also continue to gain from a public service that strives for excellence [and] that is representative of Canada's diversity". The Act contains enabling provisions for deputy heads of departments to achieve the objectives of the legislation with respect to representation of all four employment equity designated groups. These provisions include:

- Identifying employment equity objectives in the merit criteria as current or future needs of the organization or of the public service as a whole (s. 30);
- Restricting the area of selection (the eligibility to apply and be appointed) to only members of one or more of the four designated groups (s. 34(1)); and
- Expanding the area of selection to provide for a greater pool of candidates from the designated groups (s. 34(2)).

16. The PSC's appointment framework[2] includes an overarching policy on employment equity and the duty to accommodate requirements pertaining to appointments. The PSC also offers guides and tools to support departments in integrating employment equity in the appointment process, including the *Guidance Series – Integrating Employment Equity in the Appointment Process*[3], and the *Guidelines for Fair Assessment in a Diverse Workplace: Removing Barriers to Members of Visible Minorities and Aboriginal Peoples*.[4]

17. The Government of Canada encourages deputy heads of departments to promote positive measures, such as: encouraging self-declaration; and using pre-qualified pools where candidates have self-declared. Canada also sets expectations for people management, monitors departments' performance and measures the result achieved each year through the Management Accountability Framework assessment exercise, which includes employment equity indicators. Since 2007–2008, deputy heads are required to develop integrated business and human resources plans. These normally include strategies for employment equity representation.

18. The Federal Internship for Newcomers Program responds to a key barrier to labour market participation for newcomers—lack of Canadian work experience. In 2012–2013, 24 federal departments and agencies participated in the program, as well as five private sector partners, offering over 70 work placements to permanent residents and Canadian citizens who have been in Canada fewer than 10 years and who hold a post-secondary degree. The program is currently available in Ottawa-Gatineau, Toronto, Vancouver and Victoria. A survey administered in June 2013 to program graduates found that 83 percent of past interns were working full-time.

19. The Public Service Mentorship Pilot for Newcomers (2011) is a pilot initiative that is delivered in partnership with regional immigrant-serving organizations that are often the first point of contact and a key resource for newcomers. In 2012–2013, a total of 51 mentor-mentee matches were made and piloted in Ottawa, Toronto and Calgary. A 2012 survey of the pilot found that 64 percent of mentees found full time employment in their field during the mentoring relationship.

Quebec

20. In Quebec, the *Programme d'accès à l'égalité de la fonction publique* [equal opportunity program for the public service] aims to increase the representation of four

[2] More information on the PSC's appointment framework can be found at www.psc-cfp.gc.ca/plcy-pltq/ frame-cadre/policy-politique/index-eng.htm.

[3] www.psc-cfp.gc.ca/plcy-pltq/guides/equity-equite/guid-orie-eng.htm.

[4] www.psc-cfp.gc.ca/ppc-cpp/barir/index-eng.htm.

target groups, including members of cultural communities. The program has helped to significantly increase the recruitment rate for members of cultural communities, which rose from 4.1 percent in 2003–2004 to 19.1 percent in 2010–2011 for regular staff. Members of cultural communities saw their representation rates for regular staff more than double between March 2004 and March 2011, rising from 2.5 to 7.1 percent.

Employment programs

21. The Government of Canada works in partnership with the provinces and territories to ensure that all Canadians have access to employment supports. Persons of African descent benefit from employment insurance protections, federal transfers that support skills training and labour market development, and other employment supports which target under-represented groups (youth, older persons, persons with disabilities, as well as newcomers).[5] In addition to these programs, the Government of Canada also funds skills and credentials recognition, job-finding services, and produces labour market information to help Canadians overcome obstacles to employment.

22. The Employment Insurance Act is the Government of Canada's key instrument for helping Canadians bridge short periods of absence from the labour market.[6] Part I of the Act provides temporary income support to Canadians whether they are temporarily unemployed; absent from work due to illness; or are caring for a newborn or adopted child, or a gravely ill family member.

23. Part II of the Act provides for Employment Benefits and Support Measures (EBSMs) that can be tailored to meet the needs of individuals and the current and emerging needs of employers. Most EBSMs are delivered through bilateral Labour Market Development Agreements (LMDAs) between Canada and the provinces and territories. Locally delivered EBSM-like programming responds to local and regional labour market needs.[7]

24. To ensure equity principles are observed in the delivery of EBSM programming, the Government of Canada monitors the participation of women, persons with disabilities, Aboriginal people, and members of visible minority groups. In 2011–2012, members of visible minority groups participated in 49,546 interventions (5.5 percent of interventions).[8]

Labour Market Agreements

25. The Government of Canada works with provinces and territories by investing approximately $2.7 billion per year in skills development and employment programming. This investment includes: the new *Canada Job Fund* agreements for six years with provinces and territories to replace the Labour Market Agreements that expired March 31, 2014; the *Canada Job Grant*, which will equip Canadians with the skills and training they need for available jobs; and the *Labour Market Agreements for Persons with Disabilities*, which provide more demand-driven training solutions for persons with disabilities.

---

[5] More information on programs targeting under-represented groups can be found at www.rhdcc-hrsdc.gc.ca/eng/corporate/policy_programs/index.shtml.

[6] For more information on Insurance Benefits, please visit www.servicecanada.gc.ca/eng/sc/ei/index.shtml and click on the links under "Types of Employment Insurance benefits".

[7] For more information, go to www.servicecanada.gc.ca/eng/epb/ebsm.

[8] This information is collected from participants who voluntarily self-identify and is derived from the participant data set. Therefore, year-over-year fluctuations may be attributed in some degree to changes in the rate of self-identification. Since an individual client can participate in multiple interventions, the number of interventions delivered is always greater than the number of clients served. Note that the number of participants always equals the number of interventions.

Employment programs for under-represented groups

Youth

26. Persons of all backgrounds can benefit from the Government of Canada's Youth Employment Strategy (YES) which targets young Canadians aged 15 to 30. Through the YES, the Government of Canada offers labour market programming to youth via three streams: Skills Link, Career Focus and Summer Work Experience. The YES helps youth acquire skills and work experience needed to successfully enter the labour market.

27. Budget 2013 also confirmed the Government's support for Pathways to Education Canada, a not-for-profit organization dedicated to helping youth in low-income communities graduate from high school and successfully transition into post-secondary education.

Older workers

28. The Targeted Initiative for Older Workers (TIOW) is a federal-provincial/territorial cost-shared initiative designed to assist unemployed older workers (aged 55 to 64) living in communities with a population of 250,000 or less and affected by downsizing or closures, or high unemployment, through measures aimed at reintegrating them into employment. Since its launch in 2007, more than 30,250 clients participated across the country.[9]

Persons with disabilities

29. Labour Market Agreements for Persons with Disabilities[10] (LMAPDs) are bilateral, cost-shared agreements between the Government of Canada and provinces that support programs and services designed to improve the employment situation for persons with disabilities.[11] A wide range of activities may be supported under LMAPDs, including: employment counselling, career planning, post-secondary education, skills development, wage subsidies, technical aids and other supports, and employer-awareness activities.

30. Canadians with disabilities also benefit from the Opportunities Fund for Persons with Disabilities. The goal of the Fund is to assist those who have little or no labour force attachment to prepare for, obtain and keep employment, or become self-employed.

Newcomers

31. The Government of Canada recognizes that newcomers face potential barriers and have undertaken steps to improve their economic integration. For example, the Foreign Credential Recognition Program works to ensure that foreign qualifications are recognized in a fair, consistent, transparent and timely manner so that internationally trained professionals can find employment that reflects their education, skills and work experience. This also assists employers with finding qualified individuals with the relevant skills they require. In addition, the program works with provincial governments and other federal partners to support the implementation of the *Pan-Canadian Framework for the Assessment and Recognition of Foreign Qualifications*. A key goal of the Framework is that, within one year, an applicant will:

- Be told whether their qualifications will be recognized; or

[9] TIOW does not disaggregate its data by client group, therefore, it is not possible to determine how much of the funding was used to support African Canadians.

[10] www.hrsdc.gc.ca/eng/disability_issues/labour_market_agreements/index.shtml#base1#base1.

[11] Approximately 300,000 interventions supported by LMAPDs are provided annually for persons with disabilities.

- Be informed of the additional requirements necessary for recognition; or
- Be directed toward related occupations consistent with their skills and experience.

32. Since 2012, the Foreign Credential Recognition Loans program has been piloting a three-year initiative under which it provides funding to community-based, non-governmental organizations, to deliver financial assistance to internationally-trained persons to cover costs associated with the Foreign Credential Recognition process.

Quebec

33. In Quebec, the *Programme d'aide à l'intégration des immigrants et des minorités visibles en emploi* [employment integration program for immigrants and visible minorities], through the granting of wage subsidies, encourages employers to offer immigrants or persons from cultural communities their first work experience in their area of expertise. In 2010–2011, the Programme represented investments of $8.7 million.

34. The *Québec Pluriel* mentoring program enables young people from cultural communities to be matched with a mentor and receive advice on how to integrate into the job market. In 2010–2011, the program led to 273 matches with mentors and 178 participants received a job placement.

Support for official language minority communities

35. The $12 million Enabling Fund (EF) for Official Language Minority Communities (OLMC) is the Government of Canada's cornerstone program for OLMC economic integration and skill development.

36. The EF helps OLMC to develop community projects and to access additional sources of funding for those projects. Rather than supporting individuals, the EF creates conditions that enable sustainable community-wide skill and economic development for OLMC. The EF complements existing support programs in the communities.

37. On March 28, 2013, the Government of Canada reaffirmed its commitment to promote official languages and enhance the vitality of OLMC through the Roadmap for Canada's Official Languages 2013–2018: Education, Immigration, Communities. The new Roadmap focuses on three pillars that will ensure the vitality of English and French in Canada through education, immigration and communities.

38. The network of recipient organizations has numerous success stories related to the integration of minority language immigrants into their local labour markets. One successful business venture aimed at integrating Francophone immigrants into the Canadian economy is the Coopérative Mokonzie, a sewing cooperative that opened its doors in 2009 in the Toronto area, which specializes in the design and creation of African culture-inspired clothing and accessories. Sponsored by the Réseau de développement économique et d'employabilité (RDÉE) Ontario and a Government of Ontario agency, the organization provides female immigrants with training and experience on industrial sewing machines as well as professional experience to help them integrate into the Canadian labour market. Moreover, RDÉE Ontario harnessed the efforts of their community partners to allow the workers to participate in a work co-op with local employers. Many of these opportunities led to employment for participating women.

Other supports for families

39. The Government of Canada also provides support for families through the Universal Child Care Plan, which includes the Universal Child Care Benefit (UCCB). It provides $100 monthly to all families for each child under the age of 6, to help them with the costs of caring for their children.

40. This is in addition to other supports such as the Child Tax Credit (CTC), the Child Care Expense Deduction, and the Canada Child Tax Benefit (CCTB), which includes the National Child Benefit (NCB) Supplement.

Housing

41. The Government of Canada is undertaking a number of important measures to address the housing needs of all Canadians in collaboration with other levels of government and with external organizations.

42. From 2006 to 2012, the Government of Canada invested close to $14.5 billion in housing. As part of Canada's 2009 federal budget, the government invested $2 billion over two years to create new and renovate existing social housing that enabled the construction and renovation of more than 16,500 housing projects for low-income households on- and off- reserve.

43. Furthermore, the Government of Canada, through the 2013 federal budget, announced a five-year renewal of the Investment in Affordable Housing Program, to 2018–2019, totalling over $1.25 billion. Also, in recognition of the unique challenges that Nunavut faces in providing affordable housing, the government announced an additional $100 million over two years to support the construction of affordable housing units in this area of Canada.

44. In addition to the above housing and homelessness measures, federal-provincial/territorial social assistance programs provide either explicit (through a shelter component) or implicit support to the housing costs of assistance recipients. This is the principal means by which low-income households receive housing subsidies.

45. In 2006, there were 1.5 million households in core housing need, representing about 12.7 percent of all households in Canada, with around two thirds of these being renter households. This is an improvement from 2001, when 13.7 percent of all households in Canada were in core housing need.[12]

46. In 2006, visible minority households in Canada made up 12 percent of Canadian households, up from 10.1 percent in 2001. Nearly all of them lived in the country's largest cities. Certain visible minority households are more prevalent than others, for example: Chinese (25.3 percent); South Asian (22.1 percent); and Black (17.2 percent).[13] These three groups together accounted for almost two-thirds (65 percent) of visible minority households.[14]

47. The Government of Canada examined the housing conditions of households with primary maintainers who self-identify as visible minorities. The incidence of core housing need for visible minority households generally improved between 2001 and 2006, with the

[12] For more information, see E/C.12/CAN/6, par. 107 à 129.

[13] A visible minority household has a primary household maintainer who identifies as a visible minority. Visible minority household groups included broad categories, for example: Arab (e.g. Egyptian, Lebanese, Moroccan); South Asian (e.g. East Indian, Pakistani, Punjabi, Sri Lankan); and Black (e.g. African, Haitian, Jamaican, Somali).

[14] A person that self-identifies as being Black on the Visible Minority question on the Census might not necessarily be the same as a person with African origins. The visible minority question asks a person to identify to their race to assist in carrying out employment equity laws, and is not intended to infer ancestry. Under the *Employment Equity Act*, visible minorities are defined as persons, other than Aboriginal peoples, who are non-Caucasian in race or non-white in colour. A person self-identifying as a black visible minority may not equate themselves to being of African origin, instead seeing themselves as Canadian, Haitian, or European, for instance.

incidence of housing need decreasing from 24.1 to 23.1 percent. The incidence of housing need decreased for some visible minority groups, for example: South Asian (from 22.8 to 21.8 percent); Blacks (from 29.3 to 27 percent); and Arab (from 30.3 to 28.6 percent). However, it also increased for others, for example: Chinese (from 20.7 to 21.3 percent); Japanese (from 11.7 to 12.4 percent); and Korean (from 32.5 to 34.4 percent).

48. Overall, visible minority households experienced crowding and affordability problems and were in core housing need twice as often as non-visible minority households. This difference was only partially related to visible minority status; it also resulted, in part, from recent immigrant status and from geographic concentration in Canada's largest, most expensive cities.

49. From 2008 to 2011, Quebec achieved its objective of increasing access to social housing for disadvantaged people, including members of cultural communities. The number of households that obtained community or affordable housing under the AccèsLogis Québec and Logement abordable Québec programs has increased by 53.5 percent, rising from 13,574 in March 2008 to 20,837 in March 2011. This increase is directly related to the approximately $1.4 billion that the government has invested since 2003 to construct more community housing.

Research

50. The Government of Canada undertakes research and information transfer activities to enable Canadian consumers, including newcomers and recent immigrants, and the housing sector to make informed decisions. This includes research to better understand potential barriers faced by recent immigrants and refugees. It identified access to information on housing and services as a barrier for multicultural service agencies and their clients.

51. To help respond to these needs, Canada implemented the Ethno Marketing Outreach Strategy, a micro Web site dedicated to serving newcomers to Canada. It provides information in English, French, Punjabi, Urdu, Mandarin/Simplified Chinese, Tagalog, Arabic and Spanish. The site provides a variety of information, including: Renting Your First Home in Canada—What Newcomers Need to Know; Buying Your First Home in Canada—What Newcomers Need to Know; and Homebuyers Checklist—A Newcomers' Guide and Workbook.

52. Most newcomers to Canada know about its biggest cities (i.e. Toronto, Montreal, and Vancouver). Less well known are the many other Canadian cities ready to welcome them. The Government of Canada is enhancing its online information product for new and prospective immigrants—*Settling in Canada*—to cover an additional ten cities, which will bring the total to 21 cities. This online product provides information on population, housing, employment, education, and community services.

Education

Early learning and child care programming

53. The Government of Canada provides over $6.5 billion in 2013–2014 in support of early childhood development and child care through transfers to the provinces and territories, direct spending, and tax measures for families.

Apprenticeship

54. The Government of Canada works closely with provinces and territories, which are responsible for apprenticeship training and certification. Some measures are designed to increase access and completion of an apprenticeship program, including the Apprenticeship

Incentive Grant and Apprenticeship Completion Grant. These taxable grants provide up to $4,000 to registered apprentices who have successfully completed their apprenticeship training and obtained their journeyperson certification in a designated Red Seal trade.

Post-secondary education

55. Canada recognizes the vital role of post-secondary education (PSE) and provides funding to provinces and territories to support their own programming though the Canada Social Transfer (CST).

56. In addition, the Government of Canada provides supports for children's education and learning including savings incentives through the Canada Education Savings Grant (CESG) and Canada Learning Bond (CLB) to encourage Canadians to use Registered Education Savings Plans (RESPs) for a child's PSE. Savings in RESPs grow tax-free until they are withdrawn to pay for full or part-time studies in a college program, apprenticeship, trade school, or university. Other programs include the Canada Education Savings Plan (CESP) and the Canada Student Loans Program (CSLP).

Ontario

Africentric Alternative School

57. In response to a community request to address high dropout rates and achievement gaps affecting students of African descent, the Toronto District School Board (TDSB) initiated a consultation process with stakeholders that led to the January 2008 report entitled Improving Success for Black Students. The TDSB's Board of Trustees ultimately approved a recommendation to establish the Africentric Alternative School[15] which opened in September 2009 at Sheppard Public School in Toronto. The school has since expanded to grade 7 with 190 students and a growing wait list.

58. The Africentric Alternative School has some unique features. Teachers integrate the diverse perspectives, experiences and history of people of African descent into the provincially mandated curriculum. Staff members practise the use of authentic and relevant teaching and learning that reflect Africentric commitments and social realities to engage and extend the critical numeracy and literacy skills of the students. Although the Africentric Alternative School is in Toronto's west end, any student living in Toronto can attend the school.

59. Working in collaboration with the Toronto Foundation for Student Success and the Toronto Children's Breakfast Club, the school is able to offer nutritious breakfast snack and lunch programs daily in accordance with *Canada's Food Guide*. Dedicated parents and volunteers have ensured the success of the program.

60. The Africentric Alternative School has three key objectives for its students: high academic achievement; high self-pride; and a high motivation to succeed. This approach engages African Canadian students more effectively in the learning process and helps them to be more successful academically and socially. Like all schools in Ontario, the Africentric Alternative School is subject to qualitative and quantitative measures of success including increased participation, involvement, achievement and graduation rates. These are monitored and evaluated.

[15] More information is provided at: schoolweb.tdsb.on.ca/africentricschool/Home.aspx.

Other programs and policies aimed at boosting education of African Canadian children

61. The Ontario Ministry of Education is responsible for developing the curriculum policy that teachers implement under the guidance of their principals and school boards. Since 2003, the Curriculum Review Process has engaged educators, parents, students, stakeholders and others in the review of curriculum policy documents by discipline areas, from Kindergarten to Grade 12.

62. The Ontario curriculum provides opportunities for all students to learn about African Canadian history, heritage, contributions, and perspectives. It includes learning expectations and examples in many subjects such as Language, English, and the Arts. Teachers are supported in planning lessons and programs that engage African Canadian students and strengthen their pride in the rich heritage of African Canadians and their contributions to Canadian society.

63. In particular, this learning is found in the curricula for Social Studies, Grades 1–6; History and Geography, Grades 7 and 8; Canadian and World Studies, Grades 9–12; and Social Sciences and Humanities, Grades 9–12, which are currently in the final stages of the curriculum review process. The review of these documents has provided opportunities to strengthen learning about African Canadian history, heritage, contributions and perspectives, where appropriate.

64. Prior to finalization, each revised curriculum policy document undergoes a third party review to ensure the principles of equity and inclusive education are reflected in the document and that the information is factually accurate. In addition, each revised curriculum policy document also contains a section on Antidiscrimination Education/Equity and Inclusive Education and how it relates to instruction and learning in the particular subject. Guidance is provided to teachers about planning classroom lessons and programs that help students develop respect for human rights and dignity, reflect diverse points of view and experiences in the school and wider society, and enable students to learn about the contributions of various peoples in the past and present, to the development of Canada.

65. School boards may also offer locally developed courses to respond to needs that have been identified locally and that are not addressed in the provincial curriculum.

Nova Scotia

66. The Government of Nova Scotia offers a scholarship program that specifically targets African Nova Scotian students who wish to pursue post-secondary studies at a community college, a trade school or a university. Short-term job training grants are also available under this program.[16]

67. Project LEAD (Legal Enrichment And Decision-making)[17] is a law-based education program for African Nova Scotian youth (grades 5 to 7) which will be offered in four locations in the province. Youth who take part will not only be learning about the law, but also about African culture and heritage in Nova Scotia. Adapted from a successful U.S. model, the program teaches youth about the consequences of poor choices and decision-making, and encourages them to strive for excellence.

[16] acs.ednet.ns.ca/content/scholarship-program-african-nova-scotian-students.

[17] www.projectleadns.com.

Integration

68. The Government of Canada's commitment to settling and integrating newcomers is grounded in the *Immigration and Refugee Protection Act*, one of whose objectives is "to promote the successful integration of permanent residents into Canada."

69. To achieve this, the government works with a wide range of partners—including other federal departments, provincial and territorial governments, volunteers, community, employers, and school boards—to help newcomers become active, connected and productive members of society. The government provides a wide range of programs to enable individuals to participate in the labour market, encourage social and cultural connections among people of different backgrounds, and instil a sense of the rights and responsibilities of Canadian.

70. The Government of Canada, through the Settlement Program of the Department of Citizenship and Immigration Canada (CIC), supports locally-based approaches to facilitate the settlement and integration of all newcomers. More specifically, CIC:

- Works with service provider organizations to address newcomer needs;
- Supports welcoming, safe and inclusive spaces where newcomers can access information, services and other public assets;
- Enables local stakeholders to collaboratively develop plans, strategies and tools;
- Communicates best practices and shares information and expertise; and
- Connects vulnerable groups with their Canadian-born counterparts and established support networks.

71. The Settlement Program works with provinces and territories to improve coordination and streamlining of settlement service delivery and to develop a pan-Canadian framework for settlement outcomes. The purpose is to provide a cohesive, national approach for defining and measuring settlement outcomes and to establish the evidence base for better accountability and policy decisions. As part of this work, a survey of 20,000 newcomers across Canada was developed to yield information on how well newcomers are faring across the country, as well as identify areas that have the greatest impact on overall settlement outcomes. This is expected to result in improved outcomes for all newcomers, including African Canadians.

Multiculturalism

72. The Government of Canada recognizes the pluralism of Canadian society through the Canadian *Multiculturalism Act*, which acknowledges the freedom of all members of Canadian society to preserve, enhance, and share those aspects of their cultural and religious heritage which are compatible with fundamental Canadian values under the rule of law.

73. Public outreach and educational initiatives form an important part of the Government of Canada's approach. For example, CIC promotes Black History Month every February to invite Canadians of all backgrounds to learn about, appreciate and celebrate the contributions of Canada's black communities to our country.[18]

74. In addition, Canada's Multiculturalism funding program, called "Inter-Action," supports multi-year projects and small community-based events that promote intercultural

[18] www.cic.gc.ca/english/multiculturalism/black/index.asp.

and interfaith understanding, equal opportunity for individuals of all origins and institutional responsiveness to the needs of a pluralistic society.[19]

75. Examples of funded projects include:

- "Jeunes d'ici et d'ailleurs": a Learn, Exchange and Participate Project provided 500 Québec youth aged 12–19 from newcomer African, Latino, and Afghan communities with the tools needed to actively participate in and integrate into Canadian society. The project helped them gain a better understanding of their adopted country, culture, and practices, and learn more about available public services.
- Citizen U, a youth leadership project in British Columbia, engaged 2,000 at-risk youth from marginalized ethno-cultural communities, including African Canadians. The initiative provided opportunities for them to promote social cohesion issues through workshops, inter-cultural leadership training, and citizenship education activities.
- La Caravane de la Tolérance, an interactive workshop, brought together students to discuss issues related to tolerance and intolerance. The project ran workshops and involved over 1,400 students in grades 7–12 in New Brunswick.
- Youth Development in Action, let's dialogue through the arts created a space for some 1,500 young immigrants from Africa and the Caribbean to meet and discuss a variety of issues, with the aim of giving them access to a network of mentors from various backgrounds.
- National African Canadian Initiative on Full Participation and Capacity Building is a multi-year national project focused on building a national network to engage in activities to promote the full participation and social inclusion of the African-Canadian community.

76. Furthermore, the Canadian Race Relations Foundation (CRRF), an arm's length Crown Corporation, acts as a centre of expertise and active promoter of peaceful pluralism and anti-racism in Canada. In 2011, the CRRF undertook leadership of an initiative to create a nationwide interfaith network that will serve as a forum for discussing inter-religious and ethno-cultural dialogue and harmony.

Conclusion

77. It is the view of the Government of Canada that racism and all forms of unjust discrimination undermine social cohesion. The government will continue to support a diverse range of programs and activities to foster the full participation and integration of Canadians from all ethnic, racial, and religious backgrounds into our society, and to ensure that they all receive the protections of equality under the law that are their right under the Constitution and their patrimony as Canadians.

Recommendation in paragraph 17 of the concluding observations

Introduction

78. Governments at all levels in Canada are actively working to reduce violence and improve safety for Aboriginal women and girls, to ensure that all women and children are safe and secure, regardless of the community in which they live.

[19] www.cic.gc.ca/english/multiculturalism/funding/index.asp.

79. Despite these efforts, violence against women remains a problem in Canada, as it does throughout the world, affecting women's personal safety and their ability to participate in and contribute to society. The risk of violence is compounded for Aboriginal women (First Nations, Inuit, Métis and non-status Indians). Overall, the rate of self-reported violent victimization among Aboriginal women is almost three times higher than the rate reported by non-Aboriginal women. Aboriginal women report higher rates of violence committed by strangers and more serious forms of family violence.[20] They are significantly over-represented as victims of homicide[21] and are also three times more likely to be victims of spousal violence than non-Aboriginal women.[22]

80. There are many factors associated with this level of victimization. Any proposed solution to the issue of violence against Aboriginal women and girls must take into account certain long-standing, multifaceted and complex challenges, which include lower educational achievement, higher unemployment rates, dependency on social assistance, a history of abuse in residential schools and higher levels of alcohol and substance abuse.

81. In 2008, on behalf of the Government of Canada and all Canadians, Prime Minister Stephen Harper offered an historic Apology to former students of the Indian Residential Schools and sought forgiveness for the students' suffering and for the damaging impact the schools had on Aboriginal culture, heritage and language. The government acknowledged that while it cannot undo the mistakes of the past, it can learn from them and ensure that they will not be repeated.

82. The historic Apology, as well as the January 2012 Crown–First Nations Gathering that brought together First Nations Chiefs, the National Chief of the Assembly of First Nations, the Prime Minister and other government representatives to discuss priority issues for First Nations communities, demonstrate the Government of Canada's commitment towards Aboriginal peoples.

83. These initiatives and those discussed below must be viewed in the broader context of other Government of Canada initiatives that address some of the reasons that Aboriginal women and girls are vulnerable to exploitation and violence.

84. In 2012, Canada emphasized the need to provide additional support to First Nations where family violence threatens their ability to safely raise a family. An additional $11.9 million was provided for shelter services and violence prevention programming on-reserve through the Family Violence Prevention Program.

85. The Government has also taken action to address violence against Aboriginal women and children through:

- Introducing and passing the Family Homes on Reserves and Matrimonial Interests or Rights Act, which ensures that families living on reserve have the same rights and protections as other Canadians in the event of a family break-up or death of a spouse. This legislation provides a number of needed protections for Aboriginal women and children, including the ability for the courts to issue civil family violence protection orders to protect Aboriginal women and children at risk of violence in their homes;

[20] S. Brennan (2011), *Violent victimization of Aboriginal women in the Canadian provinces, 2009*, Ottawa, ON: Statistics Canada. www.statcan.gc.ca/pub/85-002-x/2011001/article/11439-eng.pdf.

[21] V. O'Donnell and S. Wallace (2011), "First Nations, Métis and Inuit Women" in *Women in Canada: A Gender-based Statistical Report*, Ottawa, ON: Statistics Canada. www.statcan.gc.ca/pub/89-503-x/89-503-x2010001-eng.htm.

[22] Brennan, above.

- Investing $25 million over five years beginning in 2010 to take concrete action to address the high number of missing and murdered Aboriginal women and girls; and
- Committing a further $25 million over five years beginning in 2015-16 to continue efforts to reduce violence against Aboriginal women and girls.

86. The commitment to address cases of missing and murdered women includes seven steps:

- Establishing a new National Centre for Missing Persons and Unidentified Remains;
- Enhancing the Canadian Police Information Centre database and creating a national website to help match older missing persons cases and unidentified human remains;
- Working with Aboriginal communities to develop community safety plans;
- Supporting the development and adaptation of culturally appropriate victim services for Aboriginal people and specific services for the families of missing and murdered women and girls;
- Supporting the development of school and community pilot projects aimed at reducing vulnerability to violence among young Aboriginal women and girls;
- Supporting the development of public awareness materials to help break intergenerational cycles of violence affecting Aboriginal people; and
- Developing a compendium of promising practices to help communities, law enforcement and justice partners in improving the safety of Aboriginal women.

87. Detailed information on actions taken to develop appropriate, multi-sectoral, collaborative responses is set out here under each of the Committee's recommendations in paragraph 17 of its concluding observations.

(a) Strengthen its efforts to eliminate violence against Aboriginal women in all its forms by implementing legislation and reinforcing its preventive programmes and strategies of protection, including the Shelter Enhancement Program, the Family Violence Prevention Program, the Policy Centre for Victim Issues and the Aboriginal Justice Strategy and the new National Centre for Missing Persons and Unidentified Remains;

Legislative framework

88. As discussed in our last report to the Committee, the *Criminal Code*[23] of Canada provides a broad-based response to all forms of violence against all women in Canada, including Aboriginal women and girls. Criminal offences include prohibitions on specific forms of violence such as assault, sexual assault and criminal harassment. As well, procedural protections (e.g., the use of testimonial aids), preventative measures (e.g., restraining orders), and sentencing principles (e.g., spousal abuse and abuse of a position of trust/authority are aggravating factors for sentencing) ensure that the criminal justice system is able to respond to violence against women at all stages.

89. The Government of Canada has also taken steps to help ensure the safety of girls and women by making amendments to the *Criminal Code* that include:

[23] Laws.justice.gc.ca/en/C-46

- Strengthening criminal law responses and penalties for violent crime, including by ending house arrest for offences involving serious personal injury such as sexual assault and aggravated sexual assault;
- Providing police, Crown prosecutors and the courts with enhanced legislative measures to more effectively manage the threat posed by individuals at very high risk of re-offending sexually and violently;
- Shifting the onus of proof to the accused to demonstrate why they should be granted bail when they are charged with specified serious offences, including aggravated sexual assault, sexual assault with a weapon, and kidnapping;
- Raising the age of sexual consent from 14 to 16 years to protect young people, including girls, from sexual exploitation by adult predators; and
- Taking action to address trafficking in persons, which predominantly affects women and girls.

Prevention of violence against Aboriginal women and girls

90. Prevention measures are essential to combating violence against Aboriginal women and girls. The Government of Canada has therefore put in place a number of measures, as outlined under recommendation (b) below.

Family Violence Prevention Program

91. The Family Violence Prevention Program (FVPP) invests approximately $30 million annually to assist First Nations to operate 41 culturally appropriate family violence shelters, including five new shelters in Ontario, Quebec, Alberta, British Columbia and Manitoba, and supports community-based prevention activities. These may include promotion and public awareness campaigns, conferences, workshops, stress and anger management seminars, counselling, training support groups and community needs assessments. In 2010-2011, close to 270 community-based prevention projects were supported. The FVPP also provides core funding to the National Aboriginal Circle Against Family Violence, a non-governmental organization (NGO) that performs a national coordinating role for service providers from shelters and prevention projects.

92. One of FVPP's success stories involves the Three Eagle Wellness Society (TEWS) formed in Alberta in 1991 to manage prevention projects funded through the Government of Canada. The TEWS has an administrator who works with the Alberta First Nations in preparing project proposals, provides training to First Nation Coordinators, collects the required reports from First Nations who have received project funding, and works with the auditors on the annual audit submission to the government. In 2009–2010, the Government of Alberta provided $75,000 to TEWS in support of an Annual Youth Gathering.

93. In Saskatchewan, the Lac La Ronge Indian Child and Family Services Agency has received funding under the First Nations Child and Family Services Program. The Agency has based its Enhanced Prevention Program on the Positive Parenting Program (Triple P), which originated in Australia. The Triple P program is an evidence-based prevention/early intervention approach to parenting which has led to a significant reduction in the number of children in care with the Agency. Since 2008–2009, the number of children in care has decreased, while the number of families receiving prevention services has increased.

94. Canada also supports Pauktuutit Inuit Women of Canada, the national voice for Inuit women, through Basic Organizational Capacity funding and project funding. Violence and

abuse prevention are among Pauktuutit's top priorities. The organization's work includes a *National Strategy to Prevent Abuse in Inuit Communities* (2006) and the development of *Making our Shelters Strong*,[24] a resource for shelter directors across the North. Pauktuutit participated in the 2nd World Conference of Women's Shelters in Washington, D.C. in February 2012 to present their *Making our Shelters Strong* training model and Web portal. The Board of Directors and membership recently identified the need for more Inuit-specific work on missing and murdered Inuit women and girls.[25]

Aboriginal Justice Strategy

95. The Committee is well acquainted with the Government of Canada's Aboriginal Justice Strategy (AJS) as described in the combined nineteenth and twentieth reports of Canada on its implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD/C/CAN/19-20). It now delivers approximately 275 programs to over 600 communities and supports the needs of Aboriginal peoples in a number of areas, including developing appropriate models for diversion, pre-sentencing options, community sentencing alternatives, family and civil mediation, and other relevant community justice services, including victims support. The Government of Canada has invested $85 million in the AJS since 2007. The Government recently announced a further investment of $22.2 million over two years for the AJS.

Victim services

96. In Canada, each provincial and territorial government provides victim services. In 2010, the Government of Canada's Policy Centre for Victim Issues announced funding to help these levels of government adapt or develop culturally appropriate victim services for Aboriginal peoples. It also provided approximately $2 million directly to 30 Aboriginal and community groups who work in the area of violence prevention and victim services. For example, approximately $232,000 was provided to the Girls Action Foundation to support a national leadership project aimed at increasing the confidence, skills and knowledge of young Aboriginal women so that they are better equipped to implement community action plans that address violence and victimization.

97. The Government of Canada's National Crime Prevention Centre also supports projects addressing the personal safety of Aboriginal women and girls, as well as initiatives that reduce known risk factors in high-crime areas and among vulnerable populations. For example, the Centre has identified Aboriginal and northern communities as a priority population. Its Northern and Aboriginal Crime Prevention Fund enables work in isolated northern communities where multiple factors contribute to the vulnerability of girls and young women to violence. While emphasis is placed on preventive interventions, some projects focus on assisting those exiting the sex industry. In addition, the Youth Gang Prevention Fund deals with violence against Aboriginal girls and women by countering recruitment into gang activities and addressing gang-related issues such as concealment of illegal weapons, drug transporting and prostitution, all of which place girls and women at risk of being victims of violence.

98. The Government of Canada's Aboriginal Community Safety Development Contribution Program (2010) directly benefits Aboriginal communities that wish to develop community safety plans. A draft resource guide for community development has been prepared, train-the-trainers sessions have been supported, and community development

[24] www.pauktuutit.ca/abuse-prevention/shelters/making-our-shelters-strong/.

[25] pauktuutit.ca/index.php/abuse-prevention/missing-and-murdered-inuit-women-and-girls.

workshops have been delivered in 25 to 30 Aboriginal communities. A parallel process was initiated for French-speaking Aboriginal communities in Quebec.

99. The Government of Canada also engaged in a process to map best and promising practices for engaging Aboriginal urban populations in strategic integrated planning. One urban community (Thompson, Manitoba) has received funding to further develop potential approaches in urban settings.

100. In March 2011, an initial gathering was held in Regina, Saskatchewan to look at the issue of reserve-to-urban migration. From this gathering came the development of a Welcome Centre in Regina to help orient Aboriginal people who migrate from their reserve to the city and to connect them with services and supports. A follow-up gathering was held in March 2012 to familiarize local reserve communities with the Welcome Centre.

101. Finally, two pilot projects to offer the workshops will receive funding in 2012–2013 (one in Quebec and the other in Saskatchewan) and one to three more pilot projects will be identified, based on partnerships to be secured.

102. Since 2007, Status of Women Canada has provided close to $57 million in funding for projects that address violence against women and girls, of which $11 million specifically addresses violence against Aboriginal women and girls.

Family violence

103. The Family Violence Initiative (FVI), a partnership of 15 federal departments, agencies and Crown corporations, is a long-term commitment to address violence within relationships of kinship, intimacy, dependency or trust. It promotes awareness of the risk and protective factors associated with family violence; works with government, research and community partners to strengthen the capacity of criminal justice, housing and health systems; and supports data collection, research and evaluation efforts to identify innovative/promising practices and a range of effective interventions.

104. As a partner to the FVI, the Royal Canadian Mounted Police's (RCMP) National Crime Prevention Services receives annual funding to provide Relationship Violence, Victim Issues and Sexual Assault Investigators training to RCMP detachments, non-profit community organizations as well as municipal, provincial and territorial partners. Projects in Aboriginal communities have included:

- Garden Hill First Nation (Manitoba). A "Breaking the Cycle of Violence" workshop discussed the risk and protective factors of child abuse, women abuse, dating violence and peer violence; examined the impact of violence on the community; and discussed prevention, intervention, policing and corrections approaches.
- Yellow Quill First Nation (Saskatchewan). Training workshops aimed to reduce family violence through the development and delivery of educational workshops and programming. The training also led to the creation of a Women's Circle and a Men's Circle for continued support.
- Healthy Relationships (Alberta). Delivered in partnership with First Nations communities, this program targeted Aboriginal youth on reserve to address the increasing rate of family and intimate partner violence. Presentations were given in local schools on the difference between healthy and unhealthy relationships. The community celebrated the graduation of youth from the program, which allowed the project's messages to reach parents, guardians and the community as a whole.

105. Under the FVI, the Government of Canada provides financial assistance for the repair, rehabilitation and improvement of existing shelters for women and their children, youth and men who are victims of family violence. Funding may be used in areas such as

security, access for persons with disabilities, and in play areas. The assistance provides for the acquisition or construction of new shelters and second stage housing where needed

106. Off-reserve, financial assistance for shelters for victims of family violence flows through bilateral agreements with provinces and territories for the Investment in Affordable Housing. Under these agreements, provinces and territories cost match and deliver the federal investment. In the one jurisdiction where such an agreement is not in place, federal funding is delivered through the Shelter Enhancement Program. From 2006 to 2011, over $68 million were committed toward shelters for victims of family violence either through federal delivery or through provincial and territorial mechanisms.

107. In addition, for the same period, the Government of Canada provided close to $7 million in federal funding for shelters for victims of family violence in First Nations communities.

108. Some of the activities underway in the provinces and territories to prevent violence against Aboriginal women and girls include the following:

British Columbia

109. The Minister's Advisory Council on Aboriginal Women (June 2011) provides advice to the Minister of Aboriginal Relations and Reconciliation on how to improve the quality of life of Aboriginal women, including stopping violence against Aboriginal women and girls.

110. The Government of British Columbia provides $32 million annually to support nearly 800 spaces in housing for women and their children who are fleeing violence. Some are operated by societies dedicated to Aboriginal individuals and families.

111. British Columbia provides over $40 million annually to fund a network of more than 400 counselling and outreach programs for victims of crime and women and children fleeing violence. A number of these programs are run by Aboriginal organizations or serve areas with a high Aboriginal population. The province also operates a financial benefits program for victims of crime, funds a 24/7 helpline (Victim Link BC) in more than 100 languages including 17 Aboriginal languages, and provides victim notification services. In recent years, British Columbia has also funded crime prevention projects that specifically address violence against Aboriginal women and girls.

112. The British Columbia Office to Combat Trafficking in Persons has created "Human Trafficking: Canada is Not Immune", an online training tool for service providers and first responders. Developed in consultation with the Aboriginal community, the program teaches individuals how to recognize, protect and assist victims of human trafficking. It was launched nationally in the fall of 2012.

Alberta

113. In Alberta, the Premier's Safe Communities priority addresses crime reduction through a balanced approach of prevention, intervention and enforcement with a firm commitment to partnerships. Alberta has contributed $1.2 million to Walking the Path Together, a program that helps Aboriginal children in Alberta who have witnessed family violence. This joint pilot project of the governments of Canada and Alberta began in 2009, is run by the Alberta Council of Women's Shelters and operates on five reserves in Alberta.

114. In response to a recommendation from the Child Intervention System Review Panel, Alberta created a new Aboriginal Policy and Community Engagement Division to provide senior leadership; enhance the government's capacity to support Aboriginal children and families; and recognize the importance of bringing an Aboriginal perspective to child intervention policy and practice. The Division's primary focus is the overrepresentation of

Aboriginal children and youth in care, the higher incidence of family violence, and unemployment. The new division brings together business leaders, volunteers, people who have experience in the child intervention system, and policy makers to address the services offered to Aboriginal families, both on- and off-reserve.

115. Alberta has increased its funding for women's shelters and to the four First Nations that have concluded fee-for-service agreements with the province under which they provide on-reserve emergency shelters for women and children who normally live off-reserve. Alberta's family violence program focuses on how best to provide services to Aboriginal people, including through victim support outreach sites.

Manitoba

116. Manitoba recognizes that a significant proportion of the women and their children who access its family violence shelters self-declare as having Aboriginal status. With an annual budget of $13 million, Manitoba's Family Violence Prevention Program (FVPP) provides core operational funding to ten women's shelters (representing approximately 200 shelter beds) and four Residential Second Stage Housing providers that operate a total of 30 units.

117. The FVPP currently funds three programs which focus specifically on the provision of culturally sensitive services to Aboriginal clients: Ikwe Widdjiitiwin Inc., a women's crisis shelter; the Family Violence Counselling Program at Ma Mawi-Wi-Chi-Itata Inc.; and Wahbung Abinoonjiiag Inc., which provides support for children who witness domestic violence and resources for families coping with violence. In addition, the Survivor's Hope Crisis Centre provides crisis intervention, support and information to survivors and secondary victims of sexual assault in north-eastern Manitoba. All FVPP-funded agencies are expected to make efforts to reflect community diversity in both their staff and board complements.

118. In April 2012, Manitoba's Child Sexual Exploitation and Human Trafficking Act became law. This act enables a justice of the peace to issue a protection order if it has been determined that a person has engaged in child sexual exploitation or human trafficking. The protection order will prevent that person from contacting or approaching his or her victim. The act also creates a new tort of human trafficking, which will allow a victim of human trafficking to sue the trafficker.

Ontario

119. Ontario has established the Building Aboriginal Women's Leadership program which provides: training for Aboriginal women to take on leadership roles in their communities; employment training for Aboriginal women who are experiencing or are at risk of domestic violence; and educational resources on family law topics specifically for Aboriginal women. Ontario's proposed new Aboriginal Women's Helpline for women in isolated and northern communities will be operational soon.

120. Ontario is also funding *Kizhaay Anishnaabe Niin: I am a Kind Man* initiative, which was described in the combined nineteenth and twentieth reports of Canada on its implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD/C/CAN/19-20).

Quebec

121. The province of Quebec's *Plan d'action gouvernemental 2008–2013 en matière d'agression sexuelle* includes specific measures aimed at Aboriginal women, including: financial support for Quebec Native Women Inc.; support for initiatives in the Nunavik communities (in Northern Quebec) to assist victims of sexual assault; increased access to

crime victims assistance centres; and increased awareness among Aboriginal community legal workers of the realities of Aboriginal life. Moreover, a seminar for Aboriginal police, organized by the Government of Quebec in fall 2011, dealt, among other things, with police intervention in domestic violence cases.

Nova Scotia

122. In Nova Scotia, the Mi'kmaq–Nova Scotia–Canada Tripartite Forum is a partnership between the province's Mi'kmaq, the province of Nova Scotia and the Government of Canada, to strengthen relationships and to resolve issues of mutual concern affecting Mi'kmaq communities. The Forum's Family Violence Sub-committee is operationalizing a 2011 Research Report on Family Violence in Aboriginal Communities. Likewise, the Justice Committee is establishing a crime prevention framework, with an emphasis on enhancing access to addictions supports, youth at risk, and mental health services.

Yukon

123. Since 2010, the Government of Yukon, all 14 Yukon First Nations, and Aboriginal women's groups have been jointly implementing some of the recommendations that resulted from a series of Aboriginal Women's Summits held in 2007. Six projects were developed and are being delivered between 2010 and 2013: Yukon Sisters in Spirit; an Elder–Youth Land-Based Camp; the development of a culturally relevant Gender-Based Analysis course; an Aboriginal women's Role Model and Mentorship Training program; a youth violence prevention and healthy relationships project; and an Aboriginal women's group's expansion project.

124. In 2011, the Women's Directorate of the Government of Yukon funded a project under the Prevention of Violence Against Aboriginal Women program entitled "Together for Justice: On Language, Violence, and Responsibility". An initiative of the Liard Aboriginal Women's Society, it attempts to close the gap in mutual understanding between the RCMP, Watson Lake women, Government of Yukon service providers, and other agencies. The workshops promote a dialogue on the serious abuse of women in Yukon communities, and help participants develop a plan of action together. RCMP participation in the workshops and their ongoing communication and cooperation with women's and community groups are key to building trust among all participants and improving safety for women. The project hopes to create lasting change through an action plan and orientation documents for the RCMP, and/or a policy statement that can be used to inform and improve social service delivery and policing for women living in Kaska and Yukon communities.

Newfoundland and Labrador

125. The Violence Prevention Initiative of the Government of Newfoundland and Labrador is a six-year, multi-departmental, government-community partnership to find long-term solutions to the problem of violence against those most at risk: women, children, youth, older persons, persons with disabilities, Aboriginal women and children, and others who are vulnerable to violence because of their ethnicity, sexual orientation or economic status.

126. The Women's Policy Office also delivers the Women's Violence Prevention Grants Program through the Violence Prevention Initiative. Grants are awarded based on criteria developed from needs identified by Aboriginal women at the Newfoundland Aboriginal Women's Summit in 2007, along with other annual women's conferences. These criteria include a focus on violence prevention action plans; public awareness and education materials or activities; healing programs; improved programs and services at shelters for Aboriginal women; the development of Aboriginal women's leadership, economic or educational capacity; and the improved cultural strength of Aboriginal communities.

127. In 2011–2012, ten new projects to address violence against Aboriginal women and children received funding of approximately $178,000, bringing the total number of projects over the last seven years to 72.

(b) Facilitate access to justice for Aboriginal women victims of gender-based violence, and investigate, prosecute and punish those responsible.

Access to justice

128. While Canada approaches access to justice broadly, and does not generally target initiatives at particular racial or ethno-cultural communities, a number of programs and initiatives have been put in place to improve access to justice for Aboriginal people, including for Aboriginal women who are victims of violence. The Committee will find detailed information on this issue under Canada's response to the Committee's recommendation in paragraph 21 of its concluding observations.

Investigating, prosecuting, and punishing perpetrators of violence against Aboriginal women

129. The Royal Canadian Mounted Police (RCMP) provides contract policing services to eight provinces (all but Ontario and Quebec) and the three territories, which includes over 200 municipalities and more than 600 Aboriginal communities. Policing agreements cover 75 percent of the geography of Canada, including much of rural Canada, all of the Canadian North, and many towns and urban centres.

130. Special arrangements are in place for Aboriginal policing in Canada. In 1991, the First Nations Policing Program (FNPP) was introduced to strengthen public safety and security, to increase responsibility and accountability, and to build partnerships with First Nation and Inuit communities. The FNPP provides financial contributions for policing under tripartite agreements between the Government of Canada, the province or territory, and the First Nation or Inuit community. There are currently 120 Community Tripartite Agreements that provide services to over 200 Aboriginal communities.

131. Law enforcement officials in Canada act with due diligence and independence in response to all reports of violence against women. Their policies and training on responding to such reports are constantly being updated to take account of the latest social science research and legal developments in this area.

132. The RCMP has a national policy on violence in relationships, which requires swift police intervention to protect victims. All complaints of violence in relationships must be investigated and documented. The onus is on the police to lay or recommend charges if there are reasonable grounds to believe that an offence has been committed, removing responsibility from victims who may feel threatened or intimidated by their aggressor. Policy directs supervisors to ensure that all investigative files be reviewed after the initial 24 hours and then again after seven days, and every 14 days thereafter. Protocols for responding to violence against women require that officers must be sensitive, respectful and responsive to the cultural needs and traditions of communities, in particular as they relate to Aboriginal and ethnic communities.

133. Further, RCMP policy directs units to participate in multi-agency community-based initiatives to reduce the incidence of violence in relationships, improve public awareness, and develop protocols for responding to violence in relationships. The RCMP provides family violence-related training at the onset of core cadet training, including police sensitivity to victims and techniques to identify intervention and crime prevention efforts. RCMP members also receive training through an online Domestic Violence Investigations course.

134. The above is in addition to RCMP training that specifically advances an understanding of Aboriginal issues. Such training helps law enforcement personnel provide more culturally appropriate policing services. Examples in the RCMP context include:

- Bias-Free Policing training, which begins at the outset of the 24-week RCMP Cadet Training Program and includes 18.5 hours of in-class and out-of-class instruction on concepts such as diversity, prejudice, discrimination, ethics, Canadian human rights history, and relevant legislation.
- Awareness and sensitivity training for front-line RCMP officers and employees, focusing on awareness of Aboriginal culture, spirituality and perceptions of law and justice and encouraging bias-free interaction through these aspects of awareness.
- An online training course, "Aboriginal and First Nations Awareness Training", that is mandatory for all new members. It provides a foundational understanding of the history of Canada's Aboriginal peoples.

Missing and murdered Aboriginal women and girls

135. The RCMP is working with other Canadian police services, provincial and territorial governments, Aboriginal organizations, and the public to investigate and resolve cases of missing or murdered women. The RCMP investigates all such cases within its jurisdiction, regardless of sex, ethnicity, background or lifestyle. The Violent Crime Linkage Analysis System is used to identify links between cases and identify suspects. The crimes tracked include sexual assault, homicide, missing persons, and unidentified human remains.

136. In 2010, the RCMP established the National Centre for Missing Persons and Unidentified Remains (NCMPUR). Initiatives in which the NCMPUR is already active include:

- Developing a national public website to provide and collect information on specific missing children, missing persons and unidentified remains cases.
- Developing the national Missing Children/Persons and Unidentified Remains Database, the first national police database specifically for this purpose.
- Gathering best practices in the investigation of missing persons and unidentified remains cases from across Canada and, where available, internationally. An investigative Best Practices document for police services has been created.

137. The NCMPUR is currently developing online as well as in-class training for investigators. The NCMPUR also held an advanced Missing Persons & Unidentified Remains Investigators Course in March 2012.

138. In their report—*What Their Stories Tell Us*[26] —the Native Women's Association of Canada (NWAC) identified some 582 cases of missing and murdered Aboriginal women and girls from the mid-1970s to 2008. In partnership with NWAC, the RCMP conducted an analysis of 118 cases from NWAC's database where key information was unavailable through secondary sources. This allowed for the reconciliation of cases and to support additional data collection for case files in the Sisters in Spirit (SIS) database of missing and murdered Aboriginal women and girls. The RCMP is working with NWAC to ensure that police are aware of a disappearance or suspicious death in all these instances.

139. A number of task forces and projects have been established in areas of the country where disappearances and crimes are clustered:

[26] www.nwac.ca/sites/default/files/imce/2010_NWAC_SIS_Report_EN.pdf

- Project EVEN-HANDED[27] (2001) in order to advance investigations of 68 missing and murdered women from the Downtown Eastside of Vancouver and surrounding areas.
- Project E-PANA[28] (2006) to review files from the North District and Central Region of British Columbia, including along Highway 16, also known as the "Highway of Tears".
- Project KARE[29] (2003) to examine the deaths of several high-risk missing persons who were found in the surrounding rural areas of the City of Edmonton.
- Information on Saskatchewan's Provincial Partnership Committee on Missing Persons (2006) can be found in the Interim Report in follow-up to the review of the sixth and seventh reports of Canada on its implementation of the Convention on the Elimination of All Forms of Discrimination against Women.
- The Manitoba Integrated Task Force on Missing Women (2009) whose mandate is to review cases involving missing and murdered women in the Winnipeg area.

Missing Women Commission of Inquiry

140. In September 2010, the Government of British Columbia created the Missing Women Commission of Inquiry (the "Commission") because it recognized that there are lessons to be learned from the investigation and circumstances surrounding the disappearance of women from Vancouver's Downtown Eastside between 1997 and 2002.

141. The Commission was established as an independent, quasi-judicial body to:

(a) Inquire into and make findings of fact respecting the conduct of the investigations conducted between January 23, 1997 and February 5, 2002 by police forces in British Columbia respecting women reported missing from the Downtown Eastside of the City of Vancouver;

(b) Inquire into and make findings of fact respecting the decision of the Criminal Justice Branch, on January 27, 1998, to enter a stay of proceedings on charges against Robert William Pickton of attempted murder, assault with a weapon, forcible confinement and aggravated assault;

(c) Recommend changes considered necessary respecting the initiation and conduct of investigations in British Columbia of missing women and suspected multiple homicides; and

(d) Recommend changes considered necessary respecting homicide investigations in British Columbia by more than one investigating organization, including the co-ordination of those investigations.

142. The Commission's terms of reference also included a study commission to make the process less formal and more inclusive. The Government of Canada is a full participant in the Inquiry.

143. As part of its work, the Commission held seven Community Forums in northern British Columbia to provide an informal venue to receive submissions from interested members of communities along Highway 16. Many of the missing and murdered women are of Aboriginal descent, and the communities have large Aboriginal populations. Because

[27] www.rcmp-grc.gc.ca/aboriginal-autochtone/mmaw-fada-eng.htm.
[28] www.rcmp-grc.gc.ca/aboriginal-autochtone/mmaw-fada-eng.htm.
[29] www.kare.ca.

the police investigations of these cases are ongoing, the Commission did not directly inquire into them. However, input from these communities assisted the Commission in carrying out its mandate to make recommendations about changes respecting the initiation and conduct of investigations in British Columbia of missing women and suspected multiple homicides and allowed the Commission to take account of their situation.

144. The Commission also held formal evidentiary hearings with a view to making findings of fact. A total of five participant groups that specifically represent the interests of Aboriginal people were granted participant status at the inquiry, as were the families of the missing and murdered women and many groups that work with and provide support to Aboriginal people although their individual mandates do not exclusively represent the interests of Aboriginal women. The Government of British Columbia provided funding for a legal team for the family members, having determined that they should take priority for any available financial assistance. It was the view of the Government of British Columbia that the families' interests would be best served by having them advanced by a single legal team, led by a senior member of the British Columbia bar.

145. The British Columbia Missing Women Commission of Inquiry hearings concluded in June 2012, and the participants made final oral and written submissions. The Commission's final report was submitted to the Attorney General of British Columbia in late November 2012, and was publicly released on December 17, 2012. The province has released a Status Report[30] that provides an overview of activities on the implementation of the recommendations that have been undertaken since the release of the Commission's report.

(c) Conduct culturally-sensitive awareness-raising campaigns on this issue, including in affected communities and in consultation with them.

146. Most of the prevention and protection programs discussed under the response to the recommendation in paragraph 17 (a) of the Committee's concluding observations include an awareness-raising dimension. In addition, Canada has some programming specific to awareness-raising, outlined below.

147. In February 2011, Status of Women Canada approved funding of $1.89 million over three years to the Native Women's Association of Canada (NWAC) for a project titled Evidence to Action II (ETA II). The goal of this 36-month project is to reduce the levels of violence experienced by Aboriginal women and girls by strengthening the ability of communities, governments, educators and service providers to respond to issues that relate to violence against Aboriginal women and girls.

148. ETA II builds on the previous phase, Evidence to Action I, for which NWAC received $500,000 in 2010, as well as on an earlier, successful Sisters in Spirit research initiative that raised awareness about violence and its impacts, and identified measures for addressing it.

149. As part of its June 2012 National Action Plan to Combat Human Trafficking, Canada supports a broad-based prevention strategy focusing on awareness-raising and research activities to prevent human trafficking. To address the particular context out of which exploitation arises, the Government of Canada will provide culturally and historically informed training to enforcement officials on the factors that may contribute to human trafficking within Aboriginal communities.

[30] www.ag.gov.bc.ca/public_inquiries/docs/BCGovStatusReport.pdf.

150. For example, to improve understanding of the vulnerability of some Aboriginal women and girls to human trafficking, Canada conducted policy research, including a knowledge exchange forum that brought together over 50 Aboriginal organizations and groups, government officials, practitioners, research and policy people. Canada is currently developing a national awareness campaign on the issue targeting Aboriginal populations.

151. Furthermore, in addition to the "I'm Not for Sale" public awareness material developed by the RCMP for distribution to Aboriginal communities, the Canadian Crime Stoppers Association, through a partnership with the Government of Canada and the RCMP, developed a human trafficking national awareness campaign entitled "Blue Blindfold". Both campaigns promote the use of the Association's national tip line for the public reporting of suspected human trafficking activities.

152. Federal funding is available to Aboriginal groups for awareness materials and activities that contribute to breaking intergenerational cycles of violence and abuse in Aboriginal communities. For example, funding was provided to the Canadian Red Cross to revise "Walking the Prevention Circle", to adapt it as an online course and translate it into French. Directed specifically at Aboriginal communities, "Walking the Prevention Circle" is one of the best-known and most widely regarded abuse prevention programs in Canada.

153. In addition, under Canada's Justice Partnership and Innovation Program—Access to Justice for Aboriginal Women Component, many projects focusing on missing and murdered Aboriginal women and girls have been funded to date, including:

- Sun and Moon Visionaries Aboriginal Artisan Society Warrior Shield Project: A therapeutic cultural art program for Aboriginal women and girls who are survivors of extreme violence or are at risk of violence, as well as family members who have an immediate relative missing or found murdered.
- Treaty 8 Missing and Murdered Women Awareness Campaign: Includes developing communication tools and providing information sessions in all 24 communities and 16 high schools of the Treaty 8 First Nations of Alberta.
- Thunderchild First Nation Missing and Murdered Aboriginal Women Awareness Project: Workshops and information sessions in Aboriginal communities in Saskatchewan on the factors that can lead to victimization, with a particular focus on the migration of women to urban centres and the challenges they are likely to face.

154. Other provincial and territorial awareness-raising initiatives include:

- The province of Ontario has funded the Ontario Federation of Indian Friendship Centres in the delivery of their "Kanawayhitowin—Taking Care of Each Other's Spirit" campaign, which is raising awareness about the signs of abuse of Aboriginal women. The campaign reflects traditional and cultural approaches to healing and wellness and has been recognized nationally and internationally as a best practice.
- In Quebec, one specific component of the government's domestic violence awareness campaign, carried out between 2006 and 2009, targeted First Nations and Inuit. Public funding totalling $70,000 led to the development of domestic violence awareness tools designed by the Table de concertation pour le mieux-être des Premières Nations and Quebec Native Women Inc.
- Since 2009, the Government of Quebec's sexual assault awareness campaign has offered awareness activities specific to the First Nations. A total of $65,000 was provided to Quebec Native Women Inc., of which $50,000 was earmarked for the campaign targeting Aboriginal people entitled "My sexuality, it's about respect: break the silence!" and $15,000 to adapt the awareness tools for the Inuit community.

(d) Consider adopting a national plan of action on Aboriginal gender-based violence.

155. The Government of Canada is committed to taking a practical and results-oriented approach focused on targeted investments and concrete action. Specific actions are being implemented. Initiatives coordinated with the provincial and territorial governments are taking place across the country, and focus on concrete actions that enhance the relationship among all partners across Canada to effectively address the issue through working together. The Government has proposed the renewal of $25 million over five years beginning in 2015–2016 to continue efforts to reduce violence against Aboriginal women and girls.

156. While a national-level action plan may appear desirable to some and while there are clear benefits to coordination among agencies and service-providers, it is also evident that community-based, locally driven responses which reflect the circumstances, needs, and priorities of those most affected by violence against Aboriginal women are key instruments in resolving this issue. Further, some provinces and territories have chosen to adopt their own action plans, including:

British Columbia

157. In October 2012, the Provincial Office of Domestic Violence[31] released *Taking Action on Domestic Violence in British Columbia*, in response the March 2012 *Report of the Representative for Children and Youth*. The Office is also developing a comprehensive three-year plan, including an Aboriginal Strategy, to address domestic violence in B.C.

Alberta

158. Alberta's *Safe Communities Initiatives Ten-Year Action Plan* includes prevention of family violence and bullying as one of the government's priorities to reduce crime. A number of initiatives are in place at the community level to work with Aboriginal women in regards to ending violence and victimization.

Manitoba

159. Since 2002, Manitoba has implemented Tracia's Trust: Manitoba's Sexual Exploitation Strategy[32], a $10 million strategy featured in the sixth report of Canada on its implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/CAN/6).

160. Manitoba's Multi-Year Domestic Violence Prevention Strategy, Safer Today, Stronger Tomorrow, was launched in November 2012. Extensive community consultations were held to inform the strategy, including representation from Aboriginal communities. The Strategy has three themes: supports for victims and families, interventions for people with abusive behaviours, and prevention, awareness and training. It was launched along with a new public awareness campaign encouraging men to speak out against domestic violence.

Ontario

161. In 2007, a provincial summit of Aboriginal leaders, communities and government led the Ontario Federation of Indian Friendship Centres and the Ontario Native Women's Association to develop the Strategic Framework to End Violence Against Aboriginal

[31] www.mcf.gov.bc.ca/podv/index.htm.

[32] www.gov.mb.ca/fs/traciastrust/index.html.

Women. Ontario has endorsed its overall objectives and multi-faceted approach, which will guide planning and priority setting in the province.

162. The Government of Ontario organized three subsequent summits focused on justice system response; community and social services; and the intersection between the child welfare system and violence against Aboriginal women. A fifth summit entitled "For Generations to Come—Summit V to End Violence Against Aboriginal Women" was held in June 2012 in Toronto.

163. In 2010, Ontario established a Joint Working Group on Violence Against Aboriginal Women comprised of representatives from all of the main Aboriginal organizations in the province to collaborate on initiatives that respond to the Strategic Framework. The Joint Working Group, co-chaired by an Aboriginal organization and a government ministry, is focused on developing a plan to address sexual violence in Aboriginal communities.

164. The Government of Ontario's Aboriginal Healing and Wellness Strategy is a joint program initiative between its ministries and Aboriginal organizations. In 2008–2009, the Strategy provided direct services to more than 42,000 clients. Over 450,000 community members participated in 17,971 community-based education and awareness activities sponsored by 360 projects. Since its creation in 1994, the strategy's programs include:

- Ten Aboriginal Health Access Centres, and six healing lodges.
- Seven family shelters and two family violence healing programs.
- Two outpatient hostels.
- Crisis intervention teams in 47 northern communities.

Quebec

165. In Quebec, the government's *2004–2009 Action Plan on Domestic Violence* contained a complete Aboriginal component, including 11 commitments for the prevention and elimination of acts of violence in Aboriginal communities, and on psycho-social, legal and correctional intervention. Following significant consultations, the government released a new multi-year Plan of action in the fall of 2012. Many of the Plan's 135 measures focus on reinforcing adequate support to victims, and a quarter of all measures address the specific situation of Aboriginal women and girls.

166. The Aboriginal component of the Government of Quebec's *2008–2013 Action Plan on Sexual Assault* includes 13 specific measures for Aboriginal women and children.

New Brunswick

167. New Brunswick's *Action Plan on Violence Against Women* targets all women living in New Brunswick including Aboriginal women. The province is now in the implementation phase of its second action plan on violence against women. Among its accomplishments:

- A Directory of Services was compiled and has been distributed to all family physicians, regional offices, transition houses, etc.
- The Woman Abuse, Child Abuse, and Adult Victims of Abuse Protocols have been updated and training provided to front-line staff is on-going.
- Training of service providers, both government and community, has taken place around the province on the Woman Abuse Protocols.
- New Brunswick's first Domestic Violence Court opened in 2007. It features an integrated and holistic approach.

168. Also, New Brunswick adopted the *Strategic Framework to End Violence Against Wabanaki Women* in 2008. Its priorities include: building capacity within government to provide support; providing tripartite coordination to address violence against Aboriginal women; and addressing housing, mental health and addictions services, and policing and justice issues. Actions taken include:

- An Aboriginal Women Leaders Dialogue Forum (2009) on the issue and a three-day Symposium on Violence against Aboriginal Women for service providers (2010) that focused on capacity-building.
- An Aboriginal Police/Justice working group (2009) to look at training and protocols regarding violence against Aboriginal women.
- Gignoo Transition House for Aboriginal women and their children who are leaving violent relationships. Funded on a cost-sharing basis with the Government of Canada, Gignoo also addresses issues such as dating violence and parenting skills, and hosts symposiums for broader education of service providers. Aboriginal women also have access to other transition houses throughout the province. Women leaving violent relationships are priority clients for access to public housing.
- Including New Brunswick's Aboriginal population in the Attitudinal Survey on Violence against Women which measures the population's attitudes towards various forms of violence against women.
- Working with all 15 First Nations to enhance services to Aboriginal victims of crime. An Aboriginal services coordinator was hired in January 2011 to conduct needs analysis and help communities develop culturally appropriate services.

Nova Scotia

169. Nova Scotia's *Domestic Violence Action Plan* (2010) is a comprehensive set of actions intended to prioritize the safety of women and children, build service capacity, strengthen the coordination and processing of programs and services, and focus on building supportive environments to help prevent domestic violence. Specific initiatives target Aboriginal women and girls: funding to support the Mi'kmaq Legal Support Network which offers a range of legal and support services to Aboriginal people; the design of a culturally distinct public awareness campaign for Aboriginal communities; a commitment to explore options to provide second-stage housing for Aboriginal women; and establishing collaborative linkages to address the recommendations arising from the *Tripartite Research Report on Family Violence in Aboriginal Communities*.

(e) Consult Aboriginal women and their organizations and support their participation in development, implementation and evaluation of measures taken to combat violence against them.

170. All governments in Canada are committed to working with Aboriginal people and stakeholder organizations on measures to combat violence against Aboriginal women. Many of the prevention and protection programs discussed under 17 a), and the awareness-raising initiatives discussed under 17 c), include a consultative or participatory role for Aboriginal women and organizations, including Evidence to Action II. Additional examples include:

171. In March 2011, the Government of Canada funded regional, national, and international roundtables that focused on the prevention of human trafficking. They explored current preventive practices, identified sub-populations and places at risk, and advanced thinking on the key elements of a prevention framework. A local-level diagnostic tool is being designed to guide the development of an integrated preventive policy and

action plan in relation to trafficking in persons and related forms of exploitation in urban centres.

172. The RCMP National Aboriginal Policing Services have a member dedicated to liaising with Aboriginal organizations, including NWAC. This partnership has led to the development of a community education tool kit, entitled *Navigating the Missing Persons Process*,[33] which can be found in NWAC's Community Resource Guide, *What Can I Do to Help the Families of Missing and Murdered Aboriginal Women and Girls*[34] to assist friends and family of missing persons. Also, in December 2011, the RCMP and the Assembly of First Nations signed a joint agreement that will see the two organizations working collaboratively on issues related to missing and murdered Aboriginal persons.

173. Other provincial/territorial initiatives relevant to consultations include Quebec's third government action plan on domestic violence (2012–2017), where special consultations were held with representatives from the main Aboriginal women's groups associated with this problem. The action plan includes specific actions for Aboriginal women and girls.

Evaluation

174. In 2010, Resolve Manitoba, a research network that co-ordinates research aimed at ending violence involving girls and women, undertook an evaluation of the programs and services provided by Ikwe-Widdjiitiwin (Ikwe), an Aboriginal women's shelter in Manitoba. The evaluation concluded that "overall, the results of this evaluation were positive and indicated satisfaction [and] suggest that the programs and services provided by Ikwe and the staff who deliver these services are positively perceived and make a positive impact in the lives of women who experience abuse in their relationships."

175. The Government of Yukon will engage Aboriginal women at the second Yukon Aboriginal Women's Summit to review and evaluate the outcomes of a series of implementation projects related to recommendations made at the first Summits, held in 2007. In particular, the Yukon Sisters in Spirit project will be using a number of other mechanisms to evaluate the project deliverables and outcomes. This evaluation will be completed by March 2013.

The Committee further recommends that the State party support existing databases and establish a national database on murdered and missing Aboriginal women and provide the Committee with statistical data and information on concrete results of its programs and strategies.

176. As the national statistical office, Statistics Canada is responsible for the systematic and coordinated collection of data on crime and victimization. The agency collects information on all homicides that come to the attention of the police in Canada, although it does not collect information on missing (disappeared) persons. The key data source is an administrative survey whereby police report annual data on every homicide in Canada that comes to their attention. It collects detailed information on the characteristics of the incident, the victim(s) and the accused. Data that can be provided by police (age, sex and Aboriginal identity of both victims and the accused) is used for statistical purposes.

177. Further, a national Canadian Police Information Centre (CPIC) data collection system provides front-line law enforcement with timely information on criminal justice and

[33] www.nwac.ca/sites/default/files/imce/NWAC_2B_Toolkit_e.pdf.

[34] www.nwac.ca/programs/community-resource-guide-what-can-i-do-help-families-missing-and-murdered-aboriginal-women-.

public safety issues that may be encountered, including cases of missing persons. CPIC contains over 250 detailed fields of information on missing persons and unidentified remains.

178. Notwithstanding these and some other data collection mechanisms, it has been difficult to establish reliable statistics at the state level that indicate the exact number of murdered Aboriginal women in Canada, for a number of reasons. In the case of the CPIC, the system is used primarily for investigative, rather than statistical, purposes.

179. With respect to the Homicide Survey, given the above-mentioned challenges that police face in determining whether a victim or accused person is an Aboriginal person, as well as potential conflicts of interest with privacy legislation in various jurisdictions, a number of police services have refused to collect any information on Aboriginal identity. As a result, the data variable contains a high level of unknowns and is not nationally representative.

180. Canada is committed to the United Nations' Fundamental Principles of Official Statistics, and always seeks to enhance the collection, analysis, and presentation of Canadian statistical information. Statistics Canada works closely with the chiefs of police and the federal, provincial and territorial governments to produce high-quality police-reported data, including data on the Aboriginal identity of victims and the accused. Several efforts have been made over the last decade to address these challenges in reporting, but they continue to affect the incidence of Aboriginal identity being reported by police.

181. In addition, the CPIC has collaborated with the National Centre for Missing Persons and Unidentified Remains to make numerous enhancements to the CPIC system geared towards capturing more specific descriptions of missing persons and unidentified remains.

182. Status of Women Canada plays an important role in ensuring that federal organizations are better equipped to understand the varied and specific needs and circumstances of women in order to help advance their full participation in Canadian society. Along with 18 other federal organizations, it financially supported the production of the 2010–2011 Statistics Canada publication *Women in Canada: a gender-based statistical report*.[35] This report includes a chapter entitled "Women and the Criminal Justice System" that contains information regarding spousal abuse against Aboriginal women. A second chapter is dedicated to understanding the situation of First Nations, Inuit and Métis women, and includes information about residential school attendance, spousal violence, and missing and murdered Aboriginal women. The Federal-Provincial-Territorial Forum on the Status of Women, in partnership with Statistics Canada, released *Measuring violence against women: Statistical trends*[36] in February 2013. The report summarizes available data within a framework of indicators of violence against women and girls, focusing on prevalence and severity; risk factors; impacts of violence against women; and responses. The report also includes disaggregated data for Aboriginal women throughout.

Conclusion

183. The Government of Canada is deeply concerned about violence faced by Aboriginal women and girls, and by the disturbing number of missing and murdered Aboriginal women and girls. Canada acknowledges that this issue is a pressing one.

[35] www.statcan.gc.ca/pub/89-503-x/89-503-x2010001-eng.htm.

[36] www.statcan.gc.ca/pub/85-002-x/2013001/article/11766-eng.htm.

184. In response, and in keeping with its Reconciliation Agenda, the Government of Canada is taking concrete action to improve the lives of Aboriginal women and girls across Canada and to deal with this complex issue in an effective and collaborative manner.

185. It is the view of the Government of Canada that significant steps have and are being taken to address the issues of violence against Aboriginal women and girls in general and the specific issue of missing and murdered Aboriginal women in particular. Initiatives are underway across the country in partnership with provincial and territorial governments, Aboriginal people, and other stakeholders. These include efforts to strengthen the response of the justice system and of law enforcement to cases of missing and murdered Aboriginal women and broader initiatives to improve safety for Aboriginal women and girls including through multi-sectoral prevention of violence efforts.

Reply to the recommendation in paragraph 19 of the concluding observations

(a) Speeding up the provision of safe drinking water to Aboriginal communities on reserves

186. The Government of Canada strongly believes that First Nation communities should have access to the same quality of safe, reliable and healthy drinking water as Canadians. Since 2006, the government has invested approximately $3 billion to assist First Nations in the construction, maintenance and operation of their water and wastewater systems. This has resulted in the completion of 198 major water and wastewater projects.

187. During this period, the government also initiated the National Assessment of First Nations Water and Wastewater Systems, the most rigorous, comprehensive and independent report of its kind. Recommendations from the National Assessment that were released in July 2011 showed that more needs to be done, especially in the areas of capacity and monitoring. The 2011–2012 annual inspection of federally funded water and wastewater treatment systems shows that nationally, the percentage of high risk systems has decreased since the 2009–2011 National Assessment. The percentage of water systems rated as high risk has dropped by 8.1 percent and the percentage of wastewater systems rated as high risk has dropped by 2.1 percent.

188. In addition, the government introduced and passed Safe Drinking Water for First Nations Act, which received Royal Assent on June 19, 2013. This Act fills a longstanding legislative gap that will allow for the creation of enforceable standards for drinking water, wastewater and source water on First Nation lands. The Government of Canada will work with First Nations to develop federal regulations and standards for the protection of drinking water, on a region by region basis. The Act is the product of seven years of engagement with First Nations and supports the shared goal of ensuring strong and sustainable First Nation communities.

189. To continue progress, Economic Action Plan 2014 proposed $323.4 million over two years to assist First Nations in the construction, maintenance, and operation of their water and wastewater systems pursuant to the First Nations Water and Wastewater Action Plan. The Government of Canada will continue to work in partnership with First Nations to address identified issues of mutual concern such as: training and capacity; use of new technologies for water and wastewater treatment, including remote monitoring of systems; and development and implementation of a regulatory regime for on-reserve water and wastewater.

(b) Intensifying efforts to remove employment-related discriminatory barriers and discrepancies in salaries between Aboriginal and non-Aboriginal people, in particular in Saskatchewan and Manitoba.

190. The Government of Canada is aware that Aboriginal persons are more likely to experience unemployment and it is taking measures to address this challenge by investing in Aboriginal skills development to promote their integration into the workforce.

191. Each year, the Government of Canada transfers $1.95 billion from the Employment Insurance (EI) program to the provinces and territories through bilateral Labour Market Development Agreements (LMDAs), described earlier in this report. Through these agreements, the provinces and territories design skills and employment benefits programing to help active and former EI claimants obtain training and work experience. In 2011–2012, 14,773 LMDA clients self-identified as being Aboriginal, including 2,473 and 1,209 in Manitoba and Saskatchewan respectively.

192. The Government of Canada also provides funding to provinces and territories to design and deliver employment programs and services adapted to the labour market needs within their jurisdiction. Labour Market Agreements (LMAs), described earlier in this report, are targeted at supporting the labour market integration of under-represented and low-skilled workers, including Aboriginal people. In the first four years of programming (2008–2009 to 2011–2012), provinces and territories reported that they served 53,774 Aboriginal clients (self-identified).

193. The Aboriginal population has a high proportion of prospective young labour force entrants. Between 2008 and 2010, Aboriginal peoples were heavily affected by the recession, and in consequence, their labour market outcomes deteriorated, both absolutely and relative to those of the non-Aboriginal population.

194. However, their labour market outcomes improved in 2011, causing the gap with non-Aboriginal labour market indicators to diminish. As of November 2011, the unemployment rate for Aboriginal persons was 11 percent, compared with 6.7 percent for non-Aboriginal persons.

195. While educational attainment among Aboriginal people has improved, their education and literacy levels remain much lower than that of the non-Aboriginal population, and this represents a key barrier to employment.

196. Within the non-Aboriginal population aged 25–64, only 15 percent had not completed secondary school; within the comparable Aboriginal population, the proportions who had not completed secondary school were 51 percent for Inuit; 50 percent for First Nations on-reserve; 30 percent for First Nations off-reserve; and 26 percent for Métis.

197. Canada's 2013 Budget announced that the Income Assistance program available to on-reserve First Nation individuals would be improved to ensure that young recipients who can work have the incentives to participate in the training necessary for them to gain employment. The Government will provide funding over 4 years to support Enhanced Service Delivery to First Nations that will focus on identifying clients' individual employment readiness and overcoming current barriers to employability. The Government is also investing in the First Nations Job Fund that will fund a range of activities, including skills assessments, training, job coaching and other labour market supports to young recipients. The result of these new measures and investments will be to target pre-employment and training opportunities at eligible young First Nations individuals so that they may gain and retain employment. The Government of Canada estimates that this initiative will support approximately 14,000 clients, aged 18 to 24, who require less than one year of training to become employable.

198. The Government of Canada has invested $1.68 billion over five years (2010–2015) in the Aboriginal Skills Employment and Training Strategy (ASETS) to increase Aboriginal people's participation in the Canadian labour market, by fostering partnerships with the private sector and provinces and territories to support demand-driven skills development. ASETS covers a range of interventions that support the integration of Aboriginal Canadians into the labour market, including: job-finding skills and training; wage subsidies to encourage employers to hire Aboriginal workers; financial subsidies to help individuals access employment or obtain skills for employment; entrepreneurial skills development; supports to help with returning to school; and child care for parents undergoing training.

- In Manitoba, four Aboriginal service delivery organizations receive $53 million annually under ASETS to help provide employment services to Aboriginal people across the province.
- In Saskatchewan, two Aboriginal service delivery organizations receive $43 million annually for the same purpose.

199. Launched in July 2010, the Skills and Partnership Fund ($210 million over five years) supports the integration of Aboriginal people into the labour market through projects to encourage innovation and partnerships, testing new approaches and addressing gaps in the delivery of employment services. Currently, Canada funds nine projects in Manitoba and Saskatchewan, totaling approximately $25.7 million, which seek to increase Aboriginal employment in several sectors such as the trades, construction, forestry, health, mining, and agriculture.

Manitoba

200. Manitoba has a broad and effective Human Rights Code which addresses discriminatory barriers within specific workplaces. The broader problem of discrepancies in employment rates and income appears largely to relate to the comparatively isolated locations of many First Nations, and differences in educational attainment, which can be a cause and/or contributing factor to such discrepancies. Among Manitoba's responses to these discrepancies are:

- "Strengthening Aboriginal Participation in the Economy–Aboriginal Employment Partnership Agreements", of which 11 formal partnership agreements have been negotiated since 2001 with key sectorial employers in Manitoba, with a view to promoting the development of Aboriginal Representative Workforce Strategies. These efforts have identified and removed many of the barriers Aboriginal people experience when seeking employment. For example, the Regional Health Authority–Central Manitoba Inc. increased its representation of Aboriginal employees from 55 to 146 employees. Brandon Regional Health Authority recruited 284 Aboriginal persons since the partnership began, a number that is reflective of their proportion of the population.
- Another example is IGNITE, a partnership between IBM and the Government of Manitoba whose purpose is to ignite student interest in technology and engineering. In 2009–2010, more than 20 IGNITE Camps were held across the province, and two additional IGNITE Camp kits based in Thompson and Brandon for use by schools and school divisions in those regions were funded by the government.
- In partnership with the Assembly of Manitoba Chiefs, Manitoba has contributed to the establishment of the First Peoples Economic Growth Fund (about $20 million over the first five-year agreement, with a new agreement in negotiation) to increase Aboriginal self-employment and create jobs. A partnership with the Manitoba Métis Federation, the Métis Economic Development Fund, has similarly been created.

Saskatchewan

201. In 2011, the Government of Saskatchewan, five Tribal Councils and the Government of Canada signed a Memorandum of Understanding on active measures to work towards reducing income assistance on reserve and to increase First Nations' access to the labour market. The agreement commits parties to work together to develop strategies and interventions to achieve these goals.

202. Saskatchewan is coordinating its labour market services and investments with its partners to better support the employment of First Nations people. Building capacity for employment services and training in First Nations communities is a vital component of the active measures initiative. Saskatchewan provided support and funding to establish the Iron Buffalo Training Centre, for example, on the Mistawasis First Nation and followed that with funds for training to build employability skills.

203. The province's Workplace Essential Skills program is a Labour Market Agreement initiative that supports training for employment. A number of the projects are delivered on reserves to ensure that First Nations people have the training they need to access job opportunities. The programs range from 12 to 40 weeks in duration and include a work placement component.

204. Saskatchewan has established a Task Force that identifies solutions to address gaps in education and employment outcomes between First Nations and Métis people and non-Aboriginal people. The Task Force has held consultations in communities throughout the province, and a final report is expected in early 2013.

205. The Government of Saskatchewan provides funding for Adult Basic Education (ABE), including programs on-reserve, to enable adults to obtain a high school credential. As part of the ABE budget, Saskatchewan funds projects through the Adult Basic Education Essential Skills for the Workplace Program (ABE–ESWP), which provides general and job-specific programs for adult learners with low literacy levels. Learners participate in a comprehensive intake and assessment process to determine their career and academic goals, with an opportunity to acquire transferable skills for employment and significant work experience.

206. In 2011–2012, Saskatchewan supported 11 post-secondary institutions to deliver 24 ABE–ESWP programs enrolling 466 individuals, of which 90 percent self-declared as First Nation or Métis. Of the 393 enrolments, 223 completed their program, of which 36 percent gained employment and 40 percent went on to further education.

(c) Finalising the construction of homes for the Attawapiskat communities in northern Ontario, and facilitating access to housing by Aboriginal people, by adopting and implementing the plan currently being drafted.

207. The Government of Canada acted immediately to ensure that affected residents of Attawapiskat First Nation had access to safe and warm shelter following the late 2011 state of emergency declared with respect to housing issues in the community. The Government delivered urgent funding to renovate existing houses and worked with the Government of Ontario and other partners, including the Canadian Red Cross, to deliver necessities such as composting toilets, high efficiency wood stoves, and building materials.

208. To address immediate needs for safe shelter, the Government of Canada provided $372,523 in 2011–2012 to support retrofits to existing community buildings to serve as temporary emergency shelter for affected residents. It committed to providing the $499,500 requested by the First Nation to support renovations to existing housing units and committed $3.2 million to support the purchase and installation of 22 modular homes to serve as permanent shelter for the affected residents. With the completion of the installation

of the 22 new modular homes and renovation work on three existing houses, the 25 affected families have moved into safe, permanent accommodations.

209. Since 2011–2012, the Government of Canada has provided over $5.3 million in funding to address housing issues consisting of:

- $3,258,713 for 22 modular homes ($2,938,713 in 2011–2012 and $320,000 in 2012-2013).
- $499,500 for housing renovation.
- $372,523 for emergency repairs to the ATCO[37] trailer complex ($133,963 in 2011-2012) and healing lodge ($238,560 in 2011–2012).
- $581,407 in core minor capital in 2011–2012 and $588,718 in core minor capital in 2012–2013.

210. From 2009–2010 through to 2011–2012, the Government of Canada has also provided $660,842 to the Attawapiskat First Nation for the set-up of, and repairs to, the ATCO trailer complex.

211. Government of Canada officials have repeatedly offered assistance to the Attawapiskat First Nation to improve capacity and support the development of a detailed and comprehensive housing strategy, which will serve as a backbone for planning achievable goals to meet the needs of the community. This strategy lays out the framework for budget planning, identifies sources of funding to support housing, and serves as a guide for long-term sustainability of the First Nations housing program. After receiving this strategy from the First Nations leadership in the spring of 2013, on May 8, 2013, the Government offered the First Nation a potential investment of up to $2.2 million for multi-unit, sustainable housing on the condition that the First Nation develop and support an on-going maintenance plan and a rental regime. While this offer was reiterated on June 13, 2013, as of June 18, 2013, (time of writing), the First Nation has not responded.

212. The Government of Canada provides annual investments estimated at $296 million to address housing needs on-reserve. Since 2006, more than $2.2 billion has been invested in on-reserve housing support to First Nations. As well, about $143 million is spent annually to support the housing needs of Aboriginal households living off-reserve. The Government will continue to prioritize safe, affordable homes.

213. The majority of First Nations receive an annual capital allocation from the Government of Canada that may be used to address a range of housing needs, including construction, renovation, maintenance, and the planning and management of their housing portfolio. According to First Nations reports, Government of Canada investments have contributed to an average of 1,750 new units and 3,100 renovations annually over the past five years, and also provided support to social housing, Aboriginal capacity development and other housing-related activities.

214. Ministerial Loan Guarantees, meant to provide assistance with bank financing for social housing programs and individual home ownership, are provided to First Nations to support the development of on-reserve housing. The Government of Canada also provides approximately $124 million in annual funding to First Nations through shelter allowance payments under the Income Assistance Program.

215. In addition to government funding, First Nations are expected to secure other sources of funding for their housing needs, including shelter charges and loans.

[37] ATCO trailers are portable steel modular buildings.

(d) Facilitating their access to health services

216. In Canada, where provinces and territories are the primary deliverers of health services, all Canadians enjoy universal comprehensive health coverage according to the standards set out in the Canada Health Act.

217. In addition to the universal comprehensive health coverage provided to all Canadians, First Nations and Inuit are provided with the following additional services by the Government of Canada:

- Primary care and public health in over 600 communities, including many that are remote and isolated.
- Comprehensive drug, dental and other supplementary health benefits, including medical transportation.
- Health system and capacity building support.

218. The Government of Canada is committed to continue working with Aboriginal peoples to improve health outcomes by ensuring that quality health services are available and accessible; and by supporting greater control of the health system by Aboriginal peoples.

Primary care and public health

219. The Government of Canada ensures that all First Nations, including remote communities, have access to essential primary care services on a 24-hour, 7-day-a-week basis. In addition to primary care nursing, the Government of Canada works closely with First Nations and Inuit organizations and communities to ensure that public health programs and services are culturally relevant, including those targeting healthy childhood development, mental wellness, communicable disease control and environmental health.

Comprehensive drug, dental and supplementary benefit coverage, including medical transportation

220. In addition to universal coverage that all Canadians enjoy, the Government of Canada provides an enhanced level of care for eligible First Nations and Inuit regardless of where they live in Canada, including comprehensive coverage for prescription drugs, dental care, vision care, medical supplies and equipment, assistance with medical transportation, and short-term crisis intervention mental health counselling. Coverage includes access to over 4,000 prescription drugs to treat an exhaustive list of medical conditions. Dental benefits include a wide range of services, including check-ups, cleanings, dental procedures, and orthodontics to correct irregularities in teeth and jaws. Access to these supplementary health benefits is highly valued by First Nations and Inuit. In a typical year, approximately three-quarters of the eligible population will utilize at least one of the benefit areas.

221. When an essential medical service is not available in the community of residence, the Government of Canada covers the cost of transportation. Medical transportation in remote and isolated locations includes air ambulance in emergencies; regular scheduled air travel for medical appointments and more complex medical procedures; and bus services for communities that are located closer to larger centres.

Health system and capacity building support

222. The Government of Canada recognizes that increasing First Nations and Inuit control over health services and systems is vital to improving health outcomes. Today, a large-scale transfer of health roles and resources is underway. The British Columbia

Tripartite Framework Agreement on First Nations Health Governance was signed with British Columbia First Nations, the province of British Columbia, and the Government of Canada in October 2011. This agreement transferred the federal government's role in the planning, design, management and delivery of First Nations health services and programs to a new First Nations Health Authority in October 2013.

223. The Government of Canada is also committed to increasing the number of trained Aboriginal health professionals. Since 2005, bursaries and scholarships have been provided to over 3,000 Aboriginal students pursuing a wide variety of health careers, including medicine and nursing. Canada is also investing in Aboriginal community-based health workers. Over the past two years, Canada has supported over 2,000 health workers to achieve certification in their area of responsibility.

Jordan's Principle

224. Jordan's Principle is a child-first approach designed to ensure that the needs of the most vulnerable First Nation children, those with multiple disabilities requiring multiple service providers, take priority regardless of jurisdiction. Federal and provincial contacts and processes are in place across the country to address Jordan's Principle cases as they arise and to ensure that Aboriginal children receive the services they need.

225. The Government of Canada has reached agreements to implement Jordan's Principle with four provinces, Manitoba (2008), Saskatchewan (2009), British Columbia (2011) and New Brunswick (2011). Remaining provinces have indicated they have sufficient processes already in place to resolve potential jurisdictional disputes. These agreements outline commitments to developing dispute avoidance processes so that in cases of federal and provincial disputes over responsibility and payment of services, a case-by-case approach is used to ensure continuity of care for children with multiple disabilities.

226. In summary, Canada has an active agenda on Aboriginal health, and the federal government is committed to continuing to work together with the provinces and territories, and with Aboriginal peoples, to close the health gap. Canada is using innovative approaches to ensure a high standard of care and services despite the challenges of a vast territory with isolated and remote communities. A particular emphasis moving forward will be increasing capacity at the community level and enabling First Nations and Inuit participation, not just as clients of the health system, but as health professionals, collaborators, managers and proprietors.

(e) Improving access to education of Aboriginal children including to the post-graduate education, in particular by generalizing the Enhanced Prevention Focus, and providing it with sufficient funding

227. The Government of Canada spends about $1.5 billion on elementary and secondary education for approximately 117,500 students living on reserve. These funds provide for teachers, student services, tuition for students who live on reserve but attend provincial and private schools, and administration. Administration can include the costs of governance structures such as education steering committees, tribal councils, and band support funding and the band employee benefits that are applied to education programs. Some 60 percent of these students attend schools on-reserve, about 38 percent attend provincial schools and 2 percent attend private schools.

228. In 2008, Canada launched the Reforming First Nation Education Initiative, which includes two programs: the First Nation Student Success Program and the Education Partnerships Program. Delivered nationally, these programs represent new federal investments of $268 million over five years, and $75 million in ongoing funding. Education partnerships continue to be developed with First Nations and provinces. Five new tripartite

education agreements have been signed since 2008: New Brunswick (2008), Manitoba (2009), Alberta (2010), Prince Edward Island (2010), Quebec (2012), and a sub-regional agreement with the Saskatoon Tribal Council (2010). These are in addition to pre-existing tripartite partnerships in British Columbia (1999) and Nova Scotia (1997).

229. In 2011, the Government of Canada and the Assembly of First Nations launched a National Panel on First Nation Elementary and Secondary Education for Students on Reserve. In response to this Panel and reports such as Reforming First Nations Education: From Crisis to Hope, the report of the Senate Standing Committee on Aboriginal Peoples, the Government of Canada committed in 2012 to work with willing partners to enact a First Nation Education Act by September 2014.

230. On April 10, 2014, the Government of Canada introduced the First Nations Control over First Nations Education Act. The legislation followed years of unprecedented consultation, discussions, and studies, and reflected the efforts of many First Nations individuals and organizations from across Canada. The legislation also contained a number of changes from a previous draft legislative proposal to address the five conditions for success identified by the Assembly of First Nations as necessary for the success of First Nations students.

231. The legislation introduced with the support of the Assembly of First Nations following an announcement in February 2014. On May 2, 2014, the National Chief resigned from his position and the Government of Canada has since put the legislation on hold until the Assembly of First Nations clarifies its position.

232. To help ensure readiness for the new First Nations education system to be outlined in legislation, Canada will invest $100 million over three years to provide early literacy programming and other supports and services to First Nation schools and students, and to strengthen their relationship with provincial school systems. It will also invest $175 million over three years to build and renovate schools on reserves.

233. In addition, Canada is supporting innovative ways to improve education outcomes. For example, the Government of Canada provided $20 million in 2010 and reconfirmed funding in 2013 to Pathways to Education Canada, a charitable organization that is helping youth in low-income communities to graduate from high school and successfully transition into post-secondary education thus increasing the likelihood of future labour market success.

234. In 2011–2012, the Government of Canada invested approximately $302 million for the Post-Secondary Student Support Program and the University and College Entrance Preparation Program, which offsets tuition, travel and living expenses for eligible First Nation students. These programs support approximately 22,000 students annually.

235. The Government's commitment to post-secondary education is reflected in a suite of programs and services available to Aboriginal and non-Aboriginal students through investments of over $2.7 billion in the form of loans and grants through the Canada Student Loans Program (CSLP) and $667 million in Canada Education Savings Grants to help students and families save for education. Further, since the inception of the Canada Learning Bond in 2005, the Government has distributed over $219 million to eligible, low-income families to help them start saving early for their child's post-secondary education. First Nation and Inuit students are encouraged to access these federal programs and services. More information on these and other measures available to ensure access to post-secondary education are found in the sixth Report of Canada on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/CAN/6).

Quebec

236. The entire public school system in Quebec offers specialized and personalized services to its Aboriginal students, who often have to leave their families and communities in order to pursue their studies. This personalized follow-up is aimed at reducing organizational difficulties encountered by students that affect both their personal and academic life. These services are available at all levels of education, from elementary to post-secondary. Quebec grants $1.8 million annually to the school boards to implement these projects.

237. The Government of Quebec's program to provide breakfast to all children attending elementary or secondary schools has, to date, been implemented in eleven Aboriginal communities.

238. As of August 31, 2012, Quebec has subsidized 3,734 child care spaces in Aboriginal communities and 492 new spaces were being created, at a cost of $52.8 million per year. These spaces serve all Aboriginal peoples. The services subsidized include infrastructure, maintenance, educators' salaries and programs for young children, from infants to preschool age.

239. In 2011, the Government of Quebec, in partnership with the First Nations Education Council, officially opened the first post-secondary institution in Quebec to be specifically adapted to the Aboriginal reality. The new Kiuna Institution received $4 million in government funding. It offers a unique bilingual program, the First Nations–Social Science program, which leads to a Diploma of Collegial Studies. Some thirty students from a number of Aboriginal communities began this new program in August 2011.

(f) Discontinuing the removal of Aboriginal children from their families and providing family and child care services on reserves with sufficient funding

240. The Government of Canada, along with provinces and First Nations, has taken important steps in improving the outcomes of children and families on-reserve with the reform of the First Nations Child and Family Services (FNCFS) funding program. One of the main drivers for this reform was the recognition that the number of children in care and costs were rising dramatically and not leading to positive outcomes. Provinces that were faced with similar problems off-reserve began to refocus their child welfare programs to more prevention-based approaches.

241. Canada followed the provinces' direction toward prevention by pursuing tripartite partnerships with willing First Nations and provinces to implement an Enhanced Prevention Focused Approach to funding FNCFS across Canada. More information can be found at paragraphs 103 to 106 of the sixth report of Canada on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/CAN/6).

(g) Providing adequate compensation through an appropriate settlement mechanism, to all students who attended the Indian Residential Schools in order to fully redress the intergenerational effects

242. The Indian Residential Schools Settlement Agreement (IRSSA), the largest class action settlement in Canadian history, was negotiated by the Government of Canada, legal counsel for former students, legal counsel for churches, the Assembly of First Nations, and representatives from other Aboriginal organizations in order to find a fair, comprehensive, and lasting resolution to the legacy of the Indian residential school system. The parties to these negotiations agreed to the IRSSA's five main components:

- The Common Experience Payment, which compensates former students for years spent residing at an eligible Indian residential school.

- The Independent Assessment Process, for claims of serious physical abuse, sexual abuse, and other wrongful acts.
- The establishment of a Truth and Reconciliation Commission.
- A $20 million Commemoration component, to honour, educate, remember, memorialize and/or pay tribute to former students, their families and communities.
- Measures to support healing, through the Indian Residential Schools Resolution Health Support Program and a $125 million endowment to the Aboriginal Healing Foundation.

243. With respect to the two financial compensation components:

Common Experience Payment

- The application deadline was September 19, 2011.
- Applications were accepted until September 19, 2012, in cases of disability, undue hardship or exceptional circumstances.
- As of March 31, 2013, 99 percent of the 80,000 originally estimated former students were paid a total of $1.613 billion.

Independent Assessment Process

- The application deadline was September 19, 2012.
- As of March 31, 2013, 37,716 applications were received and 20,452 claims were resolved, with claimants receiving a total of $1.951 billion.

244. Participation in Commemoration and Truth and Reconciliation Commission activities, and access to health supports are available to family members of former students as part of efforts to address the intergenerational impacts of the legacy of Indian residential schools.

245. The Government of Canada is committed to a fair and lasting resolution to the legacy of Indian residential schools and is fulfilling its legal obligations under the IRSSA. Bringing closure to the legacy lies at the heart of reconciliation and a renewal of the relationships between Aboriginal people who attended these schools, their families and communities, and all other Canadians.

United Nations Declaration on the Rights of Indigenous Peoples

246. Canada has endorsed the United Nations Declaration on the Rights of Indigenous Peoples, and in doing so has reaffirmed its commitment to promoting and protecting the rights of Indigenous peoples at home and abroad. In Canada's statement of support, it is noted that the Declaration is an aspirational, non-legally binding document that does not reflect customary international law nor change Canadian laws. While the Declaration does not create legal obligations for implementation by States, the Government of Canada is working on many of the issues reflected in it in partnership with Aboriginal peoples and, as appropriate, with provinces and territories.

Recommendation in paragraph 21 of the concluding observations

The Committee recommends that the State party strengthen its efforts to promote and to facilitate access to justice at all levels by persons belonging to minority groups, in particular by Aboriginal peoples and African Canadians. The Committee also urges the State party to establish without further delay, a mechanism to fill the gap caused by the

cancellation of the Court Challenges Programs, as previously recommended by the Committee.

Access to justice for persons belonging to minority groups

247. Ensuring access to justice for all Canadians, regardless of race, ethnicity, national origin or background, is a priority for Canada. In a highly diverse society such as Canada, ensuring access to justice requires a combination of general measures and special measures tailored for particular groups. Canada emphasizes general measures, focusing significant resources on strengthening critical access points for all disadvantaged Canadians. As for special measures, there are a wide variety of programs in Canada to promote access to justice for Aboriginal peoples, African Canadians, and other racial or ethnocultural communities. These programs occur principally at the local level but they are supported by all levels of government, including the federal, provincial, and territorial levels.

248. The Government of Canada and the provincial and territorial governments facilitate access to justice through a comprehensive range of initiatives, programs and special measures, including direct access to human rights commissions and/or tribunals; criminal and civil legal aid; state-funded counsel; special measures for Aboriginal people, as well as for African Canadians and other minority groups; public interest funding; and public legal education and information. These particular measures will be elaborated on below.

249. In addition, high-level efforts are ongoing to further enhance Canada's approach to this cross-jurisdictional and multi-sectoral policy issue. The Government of Canada and the provincial and territorial governments cooperate with the judiciary and NGOs on matters of access to justice. Cooperation and discussions take place through the following bodies, among others: the recently formed Federal-Provincial/Territorial (F-P/T) Senior Officials Committee on Access to Justice and Justice System Reform; the F-P/T Permanent Working Group on Legal Aid; and the F-P/T Working Groups on the Aboriginal Justice Strategy and on the Aboriginal Courtwork Program.

Access to human rights commissions and tribunals

250. Canadian citizens, permanent residents, and persons who are legally present in Canada can bring complaints of racial discrimination, or discrimination based on other grounds, to federal, provincial and territorial human rights commissions or tribunals. For example, under the Canadian Human Rights Act, the prohibited grounds of discrimination include race, national or ethnic origin, colour, and religion, among other grounds. All jurisdictions have mechanisms that assess discrimination complaints and provide dispute resolution services, and have an adjudicative body that decides the merits of complaints and orders remedies. These decisions are reviewable by the courts.

251. These mechanisms were designed to provide an informal and accessible process for the resolution of discrimination complaints in areas of daily life such as employment, housing, and access to services. Lack of legal representation or specialized legal knowledge does not prevent an individual from pursuing a complaint.

252. For example, the Manitoba Human Rights Commission has a wide range of anti-discriminatory protections for minority groups. In June 2012, "gender identity" and certain aspects of "social disadvantage" were added to the enumerated protected characteristics in the province's Human Rights Code. The Commission operates as a "gatekeeper" system: it not only investigates complaints of discrimination, but also has carriage of complaints if they are referred to adjudication. Complainants rarely feel the need to retain their own counsel. Redress is not limited to individual remedies: broad systemic remedies, including changes to public policies and practices, may be ordered. Like other human rights commissions in Canada, the Commission pursues a broad educational function through a

wide range of programs for employers, service providers, etc. and an advocacy role through appearances or submissions before Legislative Committees that review current and proposed legislation.

253. As part of its 2008–2013 Government Action Plan, Diversity: Value Added, Quebec's Commission des droits de la personne et des droits de la jeunesse has recently improved training for staff responsible for the preliminary examination of complaints, and is giving priority to mediation and other alternative dispute resolution mechanisms. These actions have succeeded in reducing the average time the Commission takes to deal with a complaint.

254. Of course, it is also open to all persons in Canada, including persons belonging to minority groups, to bring forward complaints of discrimination pursuant to the Canadian Charter of Rights and Freedoms, and to be granted broad remedial relief in the courts.

Legal aid

255. A strong legal aid system is an important pillar of Canada's justice system. All provinces and territories operate publicly funded legal aid programs, providing legal assistance at little or no cost to persons of limited means. The specific requirements for accessing these programs differ from jurisdiction to jurisdiction, but their purpose is the same: to ensure that individuals have access to fair legal proceedings.

256. The federal and provincial governments work together to ensure that Canada has a fair, relevant and accessible criminal justice system that includes a robust system of criminal legal aid administered by the provincial and territorial governments and partly funded by the Government of Canada. Criminal legal aid services are available to all individuals who are deemed eligible to receive these services. While criminal legal aid is usually available to economically disadvantaged persons, some accused persons may be unrepresented before the courts because they are unable or unwilling to obtain legal aid. Canadian courts have held that the rights of an unrepresented indigent person to a fair trial are infringed if the criminal charge is serious, involves complex legal issues and there is a likelihood of incarceration upon conviction. In such instances, the Court may stay proceedings against the accused and order the Attorney General to provide legal counsel and pay defence counsel fees.

257. Provincial governments are responsible for the delivery of civil legal aid services. The Government of Canada is also committed to ensuring that economically disadvantaged Canadians have equitable access to civil legal aid, and therefore provides funds to the provinces for this through the Canada Social Transfer. While services vary somewhat between jurisdictions, civil legal aid is generally available in matters of family law (including child protection), mental health, and poverty law matters (for example, landlord and tenant issues or accessing government programs and services). Since 2001–2002, the federal government has provided additional funding for the provision of immigration and refugee legal aid to the six provinces currently offering these services (British Columbia, Alberta, Manitoba, Ontario, Quebec, and Newfoundland and Labrador).

Manitoba

258. Legal Aid Manitoba[38] provides a broad range of assistance to persons who are financially eligible, not only with regard to adult and youth criminal charges, but for a range of civil and domestic matters. Of note is the Public Interest Law Centre, established in 1982, which takes on test cases for public interest groups and low-income individuals.

[38] www.legalaid.mb.ca.

The Centre's focus on consumer, poverty, environmental, Aboriginal and Canadian Charter of Rights and Freedoms challenges constitutes an effective alternative to the Court Challenges Program for Manitobans since its caseload includes matters of provincial as well as federal jurisdiction.

Ontario

259. Legal aid clinics in the provinces and territories provide services to disadvantaged residents in many languages. For example, clinics funded by Legal Aid Ontario can now provide services in over 200 languages. There are also specialty legal clinics that provide services to specific ethnic minority groups. In multicultural Toronto for instance, these legal clinics include:

- Aboriginal Legal Services of Toronto.
- South Asian Legal Clinic of Ontario.
- Centre for Spanish-Speaking Peoples.
- African Canadian Legal Clinic.
- Metro Toronto Chinese & Southeast Asian Legal Clinic.

Legal Aid Ontario also provides duty counsel services to assist persons who appear in criminal, family or youth courts without a lawyer.

Quebec

260. The Government of Quebec provides funding to community organizations that offer advice, support and references to victims of racism and other forms of discrimination who wish to assert their rights and obtain remedies. In June 2012, the Government of Quebec increased the financial eligibility thresholds for legal aid, thus allowing more people to access it. This increase is one of a series of specific measures under the new Justice Access Plan[39], which provides citizens, especially more vulnerable individuals, with better access to the justice system.

Yukon

261. In the territories, criminal and civil legal aid is financed under a consolidated federal-territorial Access to Justice Services Agreement, which covers all eligible services (including Aboriginal Courtwork and Public Legal Education and Information) under one funding envelope. In Yukon Territory where Aboriginal people constitute 23.1 percent of the population, an annual Provision of Legal Aid Services Agreement is then negotiated by the territory with the Yukon Legal Services Society. In 2011–2012, the financial resource distribution for Yukon Legal Aid Services was approximately 60 percent for criminal matters and 40 percent for civil matters.

Access to justice for Aboriginal people

262. Supported by the Government of Canada and provincial and territorial governments, the Aboriginal Courtwork Program provides direct services to Aboriginal people charged with an offence, to help ensure their fair, equitable and culturally sensitive treatment by the criminal justice system. The Program operates in all provinces and territories, save for Newfoundland and Labrador, Prince Edward Island and New Brunswick, and is accessible to all Aboriginal people, regardless of age, status or residency. Over 200 Aboriginal court

[39] www.justice.gouv.qc.ca/english/ministre/paj/index.htm.

workers provide services to more than 455 communities and close to 60,000 Aboriginal people throughout Canada each year. Recent studies reaffirm that Aboriginal Courtwork services have a satisfaction rate of over 90 percent from clients as well as strong support from the courts.

263. The Aboriginal Justice Strategy described under part (a) of the section on the recommendation in paragraph 17 of the concluding observations in the present report further complements efforts to ensure access to justice for Aboriginal people.

Quebec

264. The Government of Quebec aims to further access to justice for Aboriginal persons by increasing their participation in the justice system, and specifically by funding community justice models and other forms of cooperation. For example, Quebec funds "Justice Committees", in which members of the Aboriginal community help the court in identifying appropriate remedies and sentences when sentencing alternatives are being considered.

265. The Agreement Concerning the Administration of Justice for the Crees Between the Government of Quebec and The Grand Council of the Crees (Eeyou Istchee) and the Cree Regional Authority[40] provides for an annual payment of $13 million to fund various projects related to the administration of justice. This funding has helped to establish justice centres in seven Cree communities.

266. The Quebec government also funds the hiring of Aboriginal interpreters by the courts, the compilation of glossaries aimed at standardizing legal terms used in Aboriginal languages, as well as the Native Para-Judicial Services of Quebec. Managed by representatives of all Aboriginal communities, this organization helps Aboriginal accused understand the nature and consequences of charges, the judicial process, the court's decision as well as their rights and responsibilities with respect to various laws; raises awareness among stakeholders in the criminal justice system of the socio-cultural realities of Aboriginal people; acts as liaison between them and Aboriginal accused at different stages of the judicial process; and provides general information to the Aboriginal population about the way the justice system works.

Access to justice for African Canadians and other minority groups

267. A range of special measures are in place in Canada to promote access to justice for African Canadians and other minority groups. Most of these programs occur at the local level so that they are tailored for the particular needs of specific communities. Many of these programs are delivered by NGOs with governmental support.

268. For example, the federal government recently provided funding to an NGO, the Réseau des femmes afro-canadiennes francophones, for a multi-year project entitled "Faire carrière en justice, ça vous dit?" The funding was provided to support the organization in holding a series of 45 workshops in the Toronto area. These workshops were designed to raise awareness of the justice system and potential justice-related careers among young francophones, 14 to 30 years of age, who are members of racial and ethnocultural communities.

269. Another recent example was funding provided by the federal government to the Ontario Justice Education Network, to support it in providing training sessions across Ontario to youth workers and student success teachers. The project sought to enhance its

[40] www.autochtones.gouv.qc.ca/relations_autochtones/ententes/cris/entente-justice-en.pdf.

participants' knowledge and understanding of the justice system, in order to improve services for racialized youth interacting with the justice system.

Public legal education and information

270. Recognizing the importance of public legal education and information (PLEI) in increasing access to justice, all levels of government are involved in delivering and/or funding PLEI. The Government of Canada develops PLEI materials, for example in the areas of family law and family violence, makes funding available to provincial and territorial governments and NGOs for PLEI projects on specific initiatives, and also provides core funding to a network of designated organizations across the country.

271. Certain provinces provide "self-help centres", where legal information can be accessed. For example, Legal Information Centres were established in a number of Alberta courthouses to provide information, education and referrals to self-represented litigants. Similar centres exist in British Columbia. Both Ontario and Quebec have specific PLEI initiatives aimed at increasing Aboriginal access to justice. In Ontario, public funding was recently provided to civil society organizations to increase printing and distribution of posters and booklets on Aboriginal rights in the criminal law context.

Assistance for victims

272. As part of the Federal Victims Strategy, the Victims Fund ensures that victims of crime and their families are aware of their role in the criminal justice system, and of the legal services and assistance available to them. The Fund also makes financial assistance available to enable victims to participate fully in the system.

Quebec

273. In Quebec, the Bureau d'aide aux victimes d'actes criminels makes funding available to Inuit and Cree communities to hire Aboriginal persons who offer specialized services to Inuit and Cree victims of crime.

Yukon

274. In the Yukon Territory, the Yukon Legal Services Society has been involved as an integral partner in two Yukon therapeutic courts since their inception: the Domestic Violence Treatment Option (since 2000) and the Community Wellness Court (since 2008). The Society participates in all management, steering committee and working group meetings pertaining to these courts. It provides dedicated Duty Counsel to all accused at their first appearance and Assigned Counsel to all those eligible thereafter. These Courts provide counselling and support for all participants in order to address long-standing mental health and substance abuse issues as well as to provide pro-social life skills. The realistic objective of this harm reduction model is a modest reduction in individual recidivism over the mid- to long-term.

Court Challenges Program

275. There are no plans to reinstate the Court Challenges Program, or to create a specific program to replace it. It is Canada's view that the multitude of programs and initiatives described above are sufficient to ensure access to justice for persons belonging to minority groups.

276. While no new cases are funded under the program, the Government of Canada is honouring all existing commitments to recipients approved by the Court Challenges Program on or before September 25, 2006, up until the last stage of appeal.